THE PRINCIPALL ACTS OF FOURE GENERALL ASSEMBLIES, OF THE KIRK OF SCOTLAND:

Holden
- At EDINBURGH 1639.
- At ABERDENE 1640.
- At S. ANDREWS and EDINBURGH 1641.
- At S. ANDREWS 1642.

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THE PRINCIPAL ACTS OF THE FOUR ORDINARY ASSEMBLIES OF THE KIRK OF SCOTLAND:

[illegible]

THE GENERALL ASSEMBLY, At EDINBURGH 1639.

Seſſ. VIII. *Auguſt* 17. 1639.

Maſter George Grahame *his renouncing and abjuring of Epiſcopacie.*

The which day there was given in to the Aſſembly, direct from M. George Grahame, *ſometimes pretended Biſhop of* Orknay, *an abjuration of Epiſcopacie, ſubſcribed with his hand, which was publickly read in audience of the Aſſembly; and thereafter they ordained the ſame to be regeſtrat in the Aſſembly Books* ad perpetuam rei memoriam, *whereof the tenor follows.*

TO all and ſundry whom it effeirs, to whoſe knowledge theſe preſents ſhall come, ſpecially to the reverend and honourable Members of the future Aſſembly to be holden at *Edinburgh* the twelfth day of *Auguſt* 1639. years: Me Maſter *George Graham*, ſometime pretended Biſhop of *Orknay*, being ſorry and grieved at my heart that I ſhould ever for any worldly reſpect have embraced the order of Epiſcopacie, the ſame having no warrant from the Word of God, and being ſuch an order, as hath had ſenſibly many fearfull and evill conſequences in many parts of Chriſtendome, aud particularly within the Kirk of *Scotland*, as by dolefull and deplorable experience this day is manifeſt, to have diſclaimed, like as I by the tenor hereof doe altogether diſclaime and abjure all Epiſcopall power and juriſdiction, with the whole corruptions thereof, condemned by lawfull Aſſemblies within the ſaid Kirk of *Scotland*, in regard the ſame is ſuch an order as is alſo abjured within the ſaid Kirk, by vertue of that Nationall Oath which was made in the years 1580. and 1581. promiſing and ſwearing by the great Name of the Lord our God, That I ſhall never whiles I live, directly or indirectly, exerce any ſuch power within the Kirk, neither yet ſhall I ever approve or allow the ſame, not ſo much as in my private or publike diſcourſe: But on the contrary, ſhall ſtand and adhere to all the Acts and Conſtitutions of

the late Assembly holden at *Glasgow* the 21. of *Novem.* 1638. last by-past, and shall concurre to the uttermost of my power, sincerely and faithfully, as occasion shall offer, in executing the said Acts, and in advancing the Work of Reformation within this Land, to the glory of God, the peace of the Country, and the comfort and contentment of all good Christians, as God shall be my help. In testimony of the which premisses, I have subscribed thir presents with my hand at *Breeknes* in *Stronnes*, the eleventh day of *February*, the year of God 1639. years, before thir witnesses Master *Walter Stuart*, Minister at *Southronnaldsay*, Master *James Heynd*, Minister at *Kirkwall*, Master *Robert Peirson*, Minister at *Firth*, and Master *Patrick Grahame*, Minister at *Holme*, my son.

Sess. VIII. 17. *Aug.* 1639.

Act containing the Causes and Remedie of the by-gone evils of this Kirk.

THE Kings Majestie having graciously declared, That it is His Royall will and pleasure, that all questions about Religion, and matters Ecclesiasticall be determined by Assemblies of the Kirk, having also by publike Proclamation indicted this free nationall Assembly, for settling the present distraction of this Kirk, and for establishing a perfect peace, against such divisions and disorders as have been sore displeasing to His Majestie, and grievous to all his good Subjects. And now His Majesties Commissioner *John* Earle of *Traquair*, intrusted and authorized with a full Commission, being present, & sitting in this Assembly, now fully conveened and orderly constitute in all the members thereof, according to the order of this Kirk, having at large declared His Majesties zeal to the reformed Religion, and His Royall care and tender affection to this Kirk, where his Majestie had both His Birth and Baptisme, His great displeasure at the manifold distractions and divisions of this Kirk and Kingdome, and His desires to have all our wounds perfectly cured with a fair and fatherly hand: And although in the way approven by this Kirk, tryall hath been taken in former Assemblies before from the Kirk registers, to our full satisfaction, yet the Commissioners Grace making particular enquiry from the members of the Assembly, now solemnely conveened, concerning the reall and true causes of so many and great evills as this time past had so sore troubled the peace of this Kirk and Kingdome, It was represented to His Majesties Commissioner by this Assembly, That beside many other, the maine and most materiall causes were, First, The pressing of this Kirk, by the Prelates with a Service Book, or Book of Common Prayer, without warrand or direction from the Kirk, and containing beside the Popish frame thereof, divers Popish errors and ceremonies, and the seeds of manifold grosse Superstitions and Idolatry, with a Book of Canons, without warrand or direction from the Generall Assembly, establishing a

tyrannicall

tyrannicall power over the Kirk in the person of Bishops, and overthrowing the whole discipline and government of the Kirk by Assemblies, with a Book of Consecration and Ordination, without warrand of Authoritie, Civill or Ecclesiasticall, appointing offices in the house of God, which are notwarranted by the word of God, and repugnant to the discipline and Acts of our Kirk, and with the high Commission, erected without the consent of the Kirk, subverting the jurisdiction and ordinary Judicatories of this Kirk, and giving to persons meerely Ecclesiasticall, the power of both swords, and to persons meerly Civill, the power of the Keys and Kirk-sensures. A second cause was the Articles of *Perth*, *viz.* the observation of Festivall dayes, kneeling at the Communion, Confirmation, Administration of the Sacraments in private places, which are brought in by a null Assembly and are contrary to the Confession of Faith, as it was meant and subscribed *Anno* 1580. and divers times since, and to the order and constitutions of this Kirk. Thirdly, the changing of the government of the Kirk, from the Assemblies of the Kirk to the persons of some Kirkmen, usurping prioritie and power over their Brethren, by the way, and under the name of Episcopall government, against the Confession of Faith, 1580. against the order set downe in the Book of Policy, and against the intention & constitution of this Kirk from the begining. Fourthly the Civill places and power of Kirk-men, their sitting in Session, Councell and Exchequer, their Riding, Sitting, and voting in Parliament, and their sitting in the Bench as Justices of peace, which according to the constitutions of this Kirk are incompatible with their spiritual sanction, lifting them up above their Brethren in worldly pomp, and do tend to the hinderance of the Ministrie. Fiftly the keeping & authorizing corrupt Assemblies at *Linlithgow*, 1606. and 1608. At *Glasgow*, 1610. At *Aberdene*, 1616. At S. *Andrews*, 1617. At *Perth*, 1618. which are null and unlawfull, as being called and constitute quite contrary to the order and constitutions of this Kirk received and practised ever since the Reformation of Religion, and withal laboring to introduce novations into this Kirk, against the order and Religion established. A sixth cause is the want of lawfull and free Generall Assemblies, rightly constitute of Pastors, Doctors, and Elders yearly, or oftner *prore nata*, according to the libertie of this Kirk, expressed in the Book of Policy, and acknowledged in the Act of Parliament, 1592. After which the whole Assembly in one heart and voyce did declare, that these and such other, proceeding from the neglect and breach of the Nationall Covenant of this Kirk and Kingdome, made in *Anno* 1580. have been indeed the true and maine causes of all our evills and distractions. And therefore ordain, according to the constitutions of the Generall Assemblies of this Kirk: and upon the grounds *respective* above-specified, That the foresaid Service Book, Books of Cannons, and Ordination, and the high Commission, be still rejected: that the Articles of *Perth*, be no more practised: That Episcopall Government, and the Civill places and power of Kirk-men be holden still as unlawfull in this Kirk: That the above named pretended Assemblies, At *Linlithgow* 1606. and 1608. At *Glasgow* 1610. At *Aberdene* 1616. At S. *Andrews* 1617. At *Perth* 1618. be hereafter accounted as null, and of none effect. And that for

preser-

preſervation of Religion, and preventing all ſuch evills in time-coming, Generall Aſſemblies rightly conſtitute, as the proper and competent judge of all matters Eccleſiaſticall, heereafter be kept yearly and oftner, *pro re nata*, as occaſion and neceſſity ſhall require; The neceſſity of theſe occaſionall Aſſemblies being firſt remonſtrate to His Majeſtie by humble ſupplication: As alſo that Kirk Seſſions, Presbyteries and Synodall Aſſemblies, be conſtitute and obſerved, according to the order of this Kirk.

After the voycing of the Act (anent the cauſes of our by-gone evills) His Majeſties Commiſsioner conſented verbally to the ſaid Act, and promiſed to give into the Clerk in writ, the Declaration of His conſent, and that he ſhould ratifie this Act in the enſuing Parliament.

Seſſ. XVIII. 26. *Aug.* 1639.

Act approving an old Regiſter of the Generall Aſſembly.

The whole Aſſembly (upon the report made to them anent the old Regiſter of the Aſſembly, gotten from Maſter John Rig*) All in one voice approved the ſaid Regiſter, And ordained the ſame to make faith in judgement, and outwith in all time coming, as a true and authentick Regiſter of the Kirk of* Scotland, *conforme to the teſtimonie ſubſcribed by the Committee, to be inſert in the Books of Aſſembly: whereof the tenor followeth;*

WE under-ſubſcribers, Forſameikle as the late Generall Aſſembly holden at *Glaſgow*, gave power and Commiſſion to us, To peruſe, examine, and cognoſce upon the validity, faith, and ſtrength of the books and Regiſters of the Aſſembly, particularly ſet down in the Commiſſion given to us thereanent: According whereunto we did carefully view, peruſe, and conſider the ſaids Regiſters, and gave our teſtimony thereof under our hands, of the validity and ſufficiencie of the ſamine, to the ſaid Generall Aſſembly. And now having a new Commiſſion given to us from the Generall Aſſembly now preſently conveened and ſitting at *Edinburgh*, To peruſe, examine, and cognoſce upon the validity, faith and ſtrength of another Regiſter of the Aſſembly, which was not ſet down and recommended to us by the ſaid former Commiſſion, which Regiſter beginneth at the Aſſembly holden at *Edinburgh* the ſixth day of *March* 1572. and endeth at the Aſſembly likewiſe holden at *Edinburgh* 1573. we have carefully viewed, peruſed, and conſidered the ſaid Regiſter: And being deeply and maturely adviſed, as in a matter of greateſt weight and conſequence, do atteſt before God, and upon our conſciences declare to the world, and this preſent Aſſembly, That the ſaid Regiſter above expreſt, is a famous, authentick, and good Regiſter, which ought to be ſo reputed, and have publike faith in judgement

ment and outwith, as a valid and true Record in all things, And finds the ſame to be of the ſame hand-writ, and ſubſcribed by the ſame Clerk of the Generall Aſſembly, as divers of the ſaid other Regiſters (formeely peruſed by us) are. And in teſtimonie of our ſolemne affirmation we have ſubſcribed theſe preſents with our hands, at *Edinburgh* the day of *Auguſt* 1639.

Act Seſſ. XIX. *Aug.* 27. 1639.

Act approving the depoſition of the Miniſters by the Committees.

THe Aſſembly, after the receiving of the whole reports from the Committees, appointed for reviſing of the proceſſes and ſentences, led, deduced, and pronounced before, and by the ſeverall Commiſſions granted by the Aſſembly at *Glaſgow*, All in one voice approved the ſaids whole proceſſes as orderly proceeded, and the whole ſentences pronounced thereintill, as juſt and lawfull decrees, without prejudice of any favour that can be ſhowne to any perſon or perſons, againſt whom the ſaid ſentences are pronounced upon their ſupplications, or of Juſtice to ſuch as complain of their proceſſe, and offers to reduce the ſame upon whatſoever reaſon competent, by the Conſtitutions of this Kirk and Kingdome, before the Generall Aſſembly, and the Commiſſioners thereof, they being appointed for that effect.

Act Seſſ. XX. 28. *Aug.* 1639.

Act anent receiving of depoſed Miniſters.

THe which day the Generall Aſſembly upon the report of the Committees anent theſe who are depoſed by Synods, Doe make this Generall Act, recommending to the Synods all theſe who are depoſed before them for ſubſcribing of the Declinator, and reading of the Service-Book and for no other groſſe cauſe, That upon their true repentance and ſubmiſſion to the Conſtitutions of this Kirk, and upon their purgation and clearneſſe from any groſſe Faults laid to their charge in any new proceſſe againſt them, they may be found by the Synods capable of the Miniſtrie, when God grants them an ordinary and lawfull calling by admiſſion from the Presbyterie, either in the Church they ſerved in before, or in any other Church.

Act

Act Seſſ. XXI. 29. *Aug.* 1639.

Act anent the keeping of the Lords Day.

The Generall Aſſembly recommendeth to the ſeverall Presbyteries the execution of the old Acts of Aſſembly, againſt the breach of the Sabbath day, by going of Mylnes, Salt-Pannes, Salmond fiſhing, or any ſuch like labour; and to this end revives and renues the Act of the Aſſembly holden at Haly-rudehouſe, 1602. *Seſſ.* 5. *whereof the tenor follows:*

THe Aſſembly conſidering that the conventions of the People, ſpecially on the Sabbath day are very rare in many places, by diſtraction of labour not only in harveſt and ſeed-time, but alſo every Sabbath, by fiſhing both of white fiſh, and Salmond-fiſhing, and in going of Mylnes. Therefore the Aſſembly diſchargeth and inhibiteth all ſuch labour of fiſhing as well white fiſh as Salmond-fiſh, and going of Mylnes of all ſorts upon the Sabbath, under the pain of incurring the cenſures of the Kirk: And ordaines the Commiſſioners of this Aſſembly, to mean the ſame to His Majeſtie, and to deſire that a pecuniall paine may be injoyned upon the contraveeners of this preſent Act.

Act Seſſ. XXII. 29. *Aug.* 1639. *à meridie.*

Articles and Overtures approved by the Aſſembly.

THat ſome Commiſſioners be appointed to viſit and peruſe the whole Acts of Generall Aſſemblies, and to marke ſuch Acts as are for the uſe of the Kirk in Generall, To extract the ſame out of the Regiſters, to the effect that after they be tryed, they may be printed according to the old Acts of the Aſſembly at *Edinburgh March* 7. 1574. *Seſsion* 9.

The Aſſembly appoints the Presbyterie of Edinburgh *to have a care of this article, and to report their diligence to the next Aſſembly.*

That courſe may be taken for reſtraining of people from paſsing to *England* to marry, which is the occaſion of great inconveniencies.

The Aſſembly alloweth this article, and recommends to the Parliament, that they would appoint a pecuniall ſumme to be payed by the contraveeners.

That the Acts forfurniſhing expences to Commiſſioners, ſent by the Presbyteries to the Generall Aſſembly, and ſent in Commiſſion by Generall Aſſemblies, may be explained; And it be declared that all ſuch Commiſſioners whatſoever, by their ſtipends may be furniſhed by the Kirks of the Presbyterie, according to the order ſet down in the Act of the laſt

laſt Aſſembly, ſince the errand is common, and the benefit concerneth all: and that order may be taken, how that an expedient voluntarie courſe, thought fit by the Aſſembly, ſhall by adviſe of Parliament, have the force of a law, for compelling theſe to pay who are ſtented, both for the laſt and this Aſſembly, and in time to come.

The Aſſembly allowes this article, and referres the ſame to the Parliament.

That the Seſsion-Books of every Paroche be preſented once a year to the Presbyteries, that they may be tryed by them.

The Aſſembly alloweth this article.

That the Act of the 38. Aſſembly at *Edinburgh, October* 24. 1578. Seſſ. 8. ordaining Miniſters who are depoſed, to be charged under the pain of excommunication, to dimit their places, that they may be unqueſtionably vacand, may now be renewed.

The Aſſembly alloweth this article, and remits the ſame to the Parliament.

The Aſſembly would revive or renew all former Acts of Aſſembly againſt Papiſts, and excommunicate perſons, againſt haunters with them and receivers of them.

The Aſſembly alloweth this article.

That an uniforme Catechiſme may be appointed to be uſed throughout this whole Kingdome in the examinations before the Communion.

The Aſſembly alloweth this article.

That all Miniſters or Intrants preſented to Kirks, be tryed before their admiſsion, if they be qualified for the places to which they are preſented, beſides the ordinary tryalls of Expectants before their entrie to the Miniſterie.

The Aſſembly alloweth this article.

Seſſ. XXIII. 30. *Aug.* 1639.

The Supplication of the Generall Aſſembly to the Kings Majeſties Commiſsioner, concerning the Book, called, The large Declaration.

WEe the Members of this preſent Aſſembly, for our ſelves, and in name of the ſeverall Presbyteries, Burghs, and Univerſities, for which we are Commiſsioners, reſenting the great diſhonour done to God, our King, this Kirk, and whole Kingdome, by the Book called, *A large Declaration*, have here repreſented the ſame to your Grace, and have collected ſome amongſt many of falſe groſſe & abſurd paſſages, That from the conſideration therof, your Grace perceiving the intolerable evills forefaids contained therein, may be pleaſed to repreſent the ſame to

our gracious Soveraigne, and in our behalfs humbly to beſeech his Majeſtie, ſo much wronged by the many foul and falſe relations, ſuggeſted and perſwaded to him as trueths, and by ſtealing the protection of His Royall Name and Authoritie to the patrocinie of ſuch a Book: To be pleaſed firſt to call in the ſaid Book, and thereby to ſhew his diſlike thereof: Next to give Commiſſion and warrant, To cite all ſuch parties as are either knowne or ſuſpect to have hand in it, and to appoint ſuch as His Majeſtie knowes to be either authors, informers, or any wayes acceſſarie, being Natives of this Kingdome, To be ſent hither to abide their tryall and cenſure before the Judge Ordinary, and in ſpeciall Maſter *Walter Balcanquell*, now Deane of *Durham*, who is known and hath profeſſed to be the author, at leaſt a vower and maintainer of a great part thereof; that by their examplar puniſhment, others may be deterred from ſuch dangerous courſes, as in ſuch a way to raiſe ſedition betwixt the King and His Subjects, Gods honour may be vindicate from ſo high contempt, His Majeſties juſtice may appear, not only in cutting away ſuch Malefactors, but in diſcouraging all ſuch under-miners of His throne, His loyall and loving Subjects ſhall be infinitly contented to be cleared before the world of ſo falſe and unjuſt imputations, and will live hereafter in the greater ſecuritie, when ſo dangerous a courſe of ſedition is prevented, and ſo will have the greater and greater cauſe to pray for His Majeſties long and proſperous Reigne.

His Majeſties Commiſſioner in Councell having received the ſaid ſupplication, promiſed to impart the ſame to His Majeſty, and to report his diligence therein.

The Supplication of the Aſſembly to His Majeſties High Commiſsioner, and the Lords of ſecret Councell.

WEe the Generall Aſſembly, conſidering with all humble and thankfull acknowledgement, the many recent favours beſtowed upon us by His Majeſtie, and that there reſteth nothing for crowning of His Majeſties incomparable goodneſſe towards us, but that all the members of this Kirk and Kingdom be joyned in one and the ſame Confeſſion and Covenant with God, with the Kings Majeſtie, and amongſt our ſelves: And conceiving the main lett and impediment to this ſo good a work, and ſo much wiſhed by all, to have been the Informations made to His Majeſtie, of our Intentions to ſhake off civill and dutifull obedience due to Soveraignity, and to diminiſh the Kings greatneſſe and authoritie, and being moſt willing and deſirous to remove this and all ſuch impediments which may hinder and impede ſo full and perfect an Union, and for clearing of our loyaltie, W E E in our own names, and in name of all the reſt of the Subjects and Congregations whom we repreſent, do now in all humility repreſent to your Grace, His Majeſties Commiſsioner,

miſſioner, and the Lords of His Majeſties moſt Honourable Privie Councell, and declares before God and the world, that we never had nor have any thought of with-drawing our ſelves from that humble and dutifull obedience to His Majeſtie, and to his government, which by the deſcent and under the reign of 107. Kings is moſt chearfully acknowledged by us and our predeceſſors: and that we never had, nor have any intention nor deſire to attempt any thing that may tend to the diſhonour of God, or the diminution of the Kings greatneſſe and authoritie: But on the contrary, acknowledging our quietneſſe, ſtabilitie and happineſſe to depend upon the ſafety of the Kings Majeſties Perſon, and maintenance of His greatneſſe and royall authority who is Gods Vice-gerent ſet over us, for the maintenance of Religion and miniſtration of Juſtice, Wee have ſolemnly ſworn and do ſweare, not only our mutuall concurrence and aſſiſtance for the cauſe of Religion, and to the uttermoſt of our power, with our means and lives, to ſtand to the defence of our dread Soveraigne, his perſon and authority, in preſervation and defence of the true Religion, Liberties and Lawes of this Kirk and Kingdome, but alſo in every cauſe which may concerne His Majeſties honour, ſhall according to the Lawes of this Kingdome, and the dueties of good Subjects, concurre with our friends and followers in quiet manner, or in Armes, as we ſhall be required of His Majeſtie, His Councell, or any having his authority. And therefore being moſt deſirous to cleare our ſelves of all imputation of this kinde, and following the laudable example of our predeceſſors, 1589. do moſt humbly ſupplicate your Grace, His Majeſties Commiſſioner, and the Lords of His Majeſties moſt honourable Privie Councell, to enjoyn by Act of Councell, that this Confeſſion and Covenant, which, as a teſtimony of our fidelity to God, and loyaltie to our King, we have ſubſcribed, be ſubſcribed by all His Majeſties Subjects, of what rank and quality ſoever.

The Act of the Lords of Councell at Edinburgh, *Aug.* 30. 1639. *containing the Anſwer of the preceding Supplication.*

THe which day in preſence of the Lord Commiſſioner and the Lords of Privie Councell, compeired perſonally *John* Earle of *Rothes*, *James* Earle of *Monroſe*, *John* Lord *Lowdoun*, Sir *George Stirling* of Keir Knight, Sir *William Douglas* of Cavers Knight, Sir *Henry Wood* of Bonytoun Knight, *John Smyth* Burgeſſe of Edinburgh, Mr. *Robert Bartlay* Proveſt of Irwing, Mr. *Alexander Henderſon* Miniſter at Edinburgh, and Mr. *Archbald Johnſtoun* Clerk to the Generall Aſſembly, and in the name of the preſent ſitting Generall Aſſembly, gave in to the Lord Commiſſioner and Lords of Privie Councell, the Petition above written, which being read, heard, and conſidered by the ſaids Lords, they have ordained, and ordain the ſame to be inſert and regiſtrate in the books

of Privie Councell, and according to the deſire thereof, ordaines the ſaid Confeſſion and Covenant to be ſubſcribed in time coming by all His Majeſties Subjects of this Kingdome, of what ranke and quality ſoever.

The Kings Majeſties Commiſsioners Declarations.

THe which day His Majeſties Commiſſioner, and Lords of Councell, after the receiving of the Supplication of the Generall Aſſembly, anent the ſubſcribing of the Covenant, having returned to the Aſſembly, His Majeſties Commiſſioner in name of the Councell, declared; that he had received the Supplication of the Aſſembly, deſiring that the Covenant might receive the force of an Act of Councell, to be ſubſcribed by all His Majeſties Subjects, that they had found the deſire ſo fair and reaſonable, that they conceived themſelves bound in duety to grant the ſame; and thereupon have made an Act of Councell to that effect: and that there reſted now the Act of Aſſembly. And that he himſelf was ſo fully ſatisfied, that he came now as His Majeſties Commiſſioner to conſent fully unto it: and that he was moſt willing that it ſhould be enacted here in this Aſſembly, to oblige all His Majeſties Subjects to ſubſcribe the ſaid Covenant, with the Aſſemblies explanation. And becauſe there was a third thing deſired, His ſubſcription as the Kings Commiſſioner, unto the Covenant, which he behooved to do, with a Declaration in writ, and he declared as a Subject, he ſhould ſubſcribe the Covenant as ſtrictly as any, with the Aſſemblies Declaration; but as His Majeſties Commiſſioner in his name behooved to prefix to his ſubſcription, the Declaration following, which no *Scots* Subjects ſhould ſubſcribe, or have the benefit of, no not himſelf as Earle of *Traquair*. The tenor whereof follows:

SEeing this Aſſembly, according to the laudable form and cuſtome heretofore kept in the like caſes, have in an humble and dutifull way, ſupplicate to us His Majeſties Commiſſioner, and the Lords of His Majeſties moſt honourable Privie Councell, That the Covenant, with the explanation of this Aſſembly, might be ſubſcribed: And to that effect that all the Subjects of this Kingdome by Act of Councell be required to doe the ſame: And that therein for vindicating themſelves from all ſuſpitions of diſloyaltie, or derogating from the greatneſſe and authoritie of our dread Soveraigne, have therewith added a Clauſe, whereby this Covenant is declared one in ſubſtance with that which was ſubſcribed by His Majeſties Father of bleſſed memory 1580, 1581, 1590. and oftner ſince renewed. Therefore I as His Majeſties Commiſſioner, for the full ſatisfaction of the Subjects, and for ſettling a perfect Peace in Church and Kingdome, doe according to my foreſaids Declaration and Subſcription, ſubjoyned to the Act of this Aſſembly of the date the 17. of this inſtant, allow and conſent that the Covenant be ſubſcribed throughout all this Kingdome. In witnes whereof I have ſubſcribed the premiſſes.

Like

Like as His Majeſties Commiſsioner, read and gave in the Declaration following, of his conſent to the Act of the Aſſembly 17. Auguſt, *anent the cauſes of our by-gone evils.*

I *John* Earle of *Traquair*, His Majeſties Commiſſioner in this preſent Aſſembly, doe in His Majeſties Name declare, that notwithſtanding of His Majeſties own inclination, and many other grave and weightie conſiderations, yet ſuch is His Majeſties incomparable goodneſſe, that for ſettling the preſent diſtractions, and giving full ſatisfaction to the Subject, He doth allow, like as I His Majeſties Commiſſioner do conſent to the foreſaid Act, & have ſubſcribed the premiſſes.

Like as His Majeſties Commiſsioner, read and gave in the Declaration following:

IT is alwayes hereby declared by me His Majeſties Commiſſioner, That the practiſe of the premiſſes, prohibited within this Kirk and Kingdome, outwith the Kingdome of *Scotland*, ſhall never bind nor inferre cenſure againſt the practiſes outwith the Kingdome: which when the Commiſſioner required to be inſert in the Regiſter of the Kirk, and the Moderator in name of the Aſſembly, refuſed to give warrant for ſuch practiſe, as not agreeable with a good conſcience, His Grace urged, that it ſhould be recorded, at leaſt that he made ſuch a Declaration, whatſoever was the Aſſemblies Judgement in the contrair: And ſo it is to be underſtood to be inſert here onely *recitative*.

Act ordaining the ſubſcription of the Confeſsion of Faith and Covenant, with the Aſſemblies Declaration.

THe Generall Aſſembly conſidering the great happineſſe which may flow from a full and perfect Union of this Kirk and Kingdome, by joyning of all in one and the ſame Covenant with God, with the Kings Majeſtie, and amongſt our ſelves, having by our great Oath declared the uprightneſſe and loyaltie of our intentions in all our proceedings, and having withall ſupplicated His Majeſties high Commiſſioner, & the Lords of His Majeſties honorable Privie Councell, to injoyn by Act of Councell, all the Lieges in time coming to ſubſcribe the Confeſſion of faith and Covenant, which as a teſtimogy of our fidelity to God and loyaltie to our King, we have ſubſcribed; And ſeeing His Majeſties high Commiſsioner, and the Lords of His Majeſties honourable Privie Councell, have granted the deſire of our Supplication, ordaining

by

by Civill authority, all His Majesties Lieges in time comming, to subscribe the foresaid Covenant, that our Union may bee the more full and perfect, We by our Act and Constitution Ecclesiasticall, do approove the foresaid Covenant, in all the Heads and Clauses thereof, and ordains of new, under all Ecclesiasticall censure, that all the Masters of Universities, Colledges, and Schooles, all Schollers at the passing of their degrees, all persons suspect of Papistry, or any other errour; and finally, all the members of this Kirk and Kingdome, subscribe the same with these words prefixed to their subscription: *The Article of this Covenant, which was at the first subscription referred to the determination of the Generall Assembly, being determined. And thereby the five Articles of* Perth, *the government of the Kirk by Bishops, the civill places and power of Kirk men, upon the reasons and grounds contained in the Acts of the Generall Assembly declared to be unlawfull within this Kirk, we subscribe according to the determination foresaid.* And ordains the Covenant, with this Declaration, to be inserted in the Registers of the Assemblies of this Kirk, Generall, Provinciall, and Presbyteriall, *ad perpetuam rei memoriam*; and in all humility supplicates His Majesties high Commissioner, and the honourable Estates of Parliament, by their authority, to ratifie and injoyne the same, under all civill paines, which will tend to the glory of God, preservation of Religion, the Kings Majesties honour, and perfect peace of this Kirk and Kingdome.

Aug. 30. 1639.

Act anent Appellations.

THe Assembly appointed that in all time hereafter, no Appellations should be, leaping over either Presbyterie or Synod, but to ascend by degrees as from the Kirk Session to the Presbytry, or from the Presbyterie to the Synod, and from the Synod to the Generall Assembly, except it be after the Synod be past, and immediatly before the Generall Assembly, or in the time thereof, and renews all former Acts made to this effect.

Act anent advising with Synods and Presbyteries before determination in Novations.

THe Generall Assembly desiring that the intended Reformation being recovered, may be established, Ordains, that no Novation which may disturbe the peace of the Church, and make division, be suddenly proponed and enacted: But so as the motion be first communicate to the severall Synods, Presbyteries and Kirks, that the matter may be approved by all at home, and Commissioners may come well prepared, unanimously to conclude a solide deliberation upon these points in the Generall Assembly.

Act

Act anent Miniſters Catechiſing, and Family Exerciſes.

THe Aſſembly conſidering that the long waited-for fruits of the Goſpel, ſo mercifully planted and preſerved in this Land, and the Reformation of our ſelves, and Families, ſo ſolemnly vowed to God of late in our Covenant, cannot take effect, except the knowledge & worſhip of God be caried from the Pulpit to every family within each Pariſh, hath therefore appointed that every Miniſter, beſides his paines on the Lords day, ſhall have weekly catechiſing of ſome part of the Paroch, and not altogether caſt over the examination of the people, till a little before the Communion. Alſo that in every Familie the worſhip of God be erected, where it is not both Morning and Evening, and that the Children and Servants be catechiſed at home, by the Maſters of the Families, whereof account ſhall be taken by the Miniſter, and Elders aſſiſting him in the viſitation of every Family: And leſt they fail, that viſitation of the ſeverall Kirks be ſeriouſly followed by every Presbyterie, for this end among others. The execution and ſucceſſe whereof, being tried by the Synods, let it be repreſented to the next Generall Aſſembly.

Seſſ. XXIIII. 30. *Aug. à meridie.*

The Aſſemblies Supplication to the Kings Majeſtie.

Moſt Gracious Soveraigne,

WEe Your Majeſties moſt humble and loyall Subjects, the Commiſsioners from all the parts of this your Majeſties ancient and Native Kingdome, and members of the Nationall Aſſembly, conveened at *Edinburgh* by Your Majeſties ſpeciall indiction, and honoured with the preſence of Your Majeſties high Commiſsioner, have been waiting for a day of rejoycing, and of ſolemne Thankſgiving to be rendred to God by this whole Kirk and Kingdome, for giving us a King ſo juſt and religious, that it is not only lawfull for us to be Chriſtians under Your Majeſties government, which ſometime hath been the greateſt praiſe of great Princes, but alſo that it hath pleaſed Your gracious Majeſtie, to make known that it is Your Royall will and pleaſure, that all matters Eccleſiaſticall be determined in free Nationall Aſſemblies, and matters civill in Parliaments; which is a moſt noble and ample expreſsion of Your Majeſties juſtice, and we truſt ſhall be a powerful mean of our common happineſſe under your Majeſties moſt bleſſed Reign. In the mean while we do moſt humbly, upon the knees of our hearts, bleſſe your Majeſty for that happineſſe already begun in the late Aſſembly at *Edinburgh*; in the proceedings whereof, next under God, we have laboured to approve our ſelves unto Your Majeſties Vice-gerent, as if Your Majeſties eyes had been upon us, which was the deſire of our ſouls,

soules, and would have beene the matter of our full rejoycing, and doe still continue Your Majesties most humble supplicants for Your Majesties civill sanction and ratification of the constitutions of the Assembly in Parliament; That your Majesties Princely power, and the Ecclesiasticall Authority joyning in one, the mutuall embracements of religion and justice, of truth and peace may be seen in this Land, which shall be to us as a resurrection from the dead, and shall make us, being not only so farre recovered, but also revived, to fill Heaven and Earth with our praises, and to pray that King CHARLES may be more and more blessed, and His throne established before the Lord for ever.

THe Assembly appoints the next Generall Assembly, to sit at Aberdene *the last Tuesday of* July *next*, 1640. *years. And warneth all Presbyteries, Universities and Burrows, to send their Commissioners, for keeping the same. And thereafter the Assembly was concluded by giving of thanks by the Moderator, and singing of a Psalme, according to the custome.*

FINIS.

THE GENERALL ASSEMBLY, CONVEENED At ABERDENE *July* 28. 1640.

Seſſ. II. 29. *July* 1640.

THe Aſſembly having paſt the firſt day before they would make any Act in attending of His Majeſties Commiſſioner.

This day the Moderator openly asked in face of the Aſſembly, if there was any Commiſſioner come from His Majeſtie: And finding there was none, the Aſſembly proceeded according to their Liberties.

Overtures given in by the Committee appointed by the laſt Aſſembly, anent the ordering of the Aſſembly-houſe: Which being read in audience of the Aſſembly they approved the ſame.

THe Aſſembly finds it expedient for the ordering of the Houſe in all time coming, that the Commiſſioners ſit together unmixt, and that the places where they ſit be railed about, or ſome other way divided from the ſeats of others, and that places be provided without the bounds of the Commiſſioners ſeats to perſons of reſpect, who are not Commiſſioners, and others according to their qualities, as the Magiſtrates of the Town ſhall find moſt convenient.

Alſo that the Commiſſioners, having received tickets from the Magiſtrates of the Burgh, at the delivery of their Cõmiſſions, wherby they may have ready acceſſe to the Aſſemblie-Houſe and place appointed for them, do keep the hour of meeting preciſely, & whoſoever comes after the time, or ſhall be found abſent at the calling of the Rols, to be cenſured as the Aſſemblie ſees fitting: And whatſoever Presbyterie, Burgh or Univerſitie, ſhall not ſend Commiſſioners, or Commiſſioners ſent from them doe II.

not come at all to the Assembly, be summonid unto the next Assembly, and censured as the Assembly shall find reasonable.

III. That foure persons of respect have warrent from the Assembly to injoyne that there be no standing, no din, nor disorderly behaviour; And if any shall disobey them, or direct his speech to any, except to the Moderator, and that one at once with leave first asked and given, to be rebuked publikely by the Moderator: and if he desist not be removed out of the Assembly for that Session.

IIII. That no motion come in unto the Assembly but by the Committee appointed for matters of that nature: and if the Committee refuse to answer the same, let it be proponed to the Assembly with the reasons thereof.

V. That the minutes of ilk Session be read before their rising, and if the matter concerne the whole Kirk, let it be drawn up in forme and read in the begining of the next ensuing Session, that the Assembly may judge whether or not it bee according to their minde.

Act anent the demolishing of Idolatrous Monuments.

FOrasmuch as the Assembly is informed, that in divers places of this Kingdome, and specially in the North parts of the same, many Idolatrous Monuments, erected and made for Religious worship, are yet extant, Such as Crucifixes, Images of Christ, *Mary*, and Saints departed, ordaines the saids monuments to be taken down, demolished, and destroyed, and that with all convenient diligence: and that the care of this work shall be incumbent to the Presbyteries and Provinciall Assemblies within this Kingdome, and their Commissioners to report their diligence herein to the next Generall Assembly.

Act against Witches and Charmers.

THe Assembly ordaines all Ministers within the Kingdome, carefully to take notice of Charmers, Witches, and all such abusers of the people, and to urge the Acts of Parliament, to be execute against them: And that the Commissioners from the Assembly to the Parliament, shall recommend to the said supreme judicatory, the care of the execution of the Lawes against such persons in the most behoovefull way.

Sess.

Seſſ. V. *Aug.* 1. 1640.

Act for cenſuring ſpeakers againſt the Covenant.

THe Aſſembly ordaines, that ſuch as have ſubſcribed the Covenant and ſpeakes againſt the ſame, if he be a Miniſter, ſhall be deprived; and if he continue ſo, being deprived, ſhall be excommunicate: And if he be any other man, ſhall be dealt with as perjured, and ſatisfie publikely for his perjury.

Seſſ. X. 5. *Aug.* 1640.

Act againſt Expectants refuſing to ſubſcribe the Covenant.

THe Aſſembly ordaines, that if any Expectant ſhall refuſe to ſubſcribe the Covenant, he ſhall be declared uncapable of a Pedagogie, teaching of a School, reading at a Kirk, Preaching within a Presbyterie, and ſhall not have libertie of reſiding within a Burgh, Univerſitie, or Colledge: And if they continue obſtinate, to be proceſſed.

THe Generall Aſſembly appoints the next Aſſembly, to be in S. Andrews *the third Tueſday of* July 1641. *And that the Moderator in a convenient way, by the ſecret Councell, or otherwiſe as may beſt ſerve, requeſt the Kings Majeſtie to ſend his Commiſſioner to the ſaid Aſſembly. And if any exigent fall out, that the Presbyterie of* Edinburgh *give advertiſement for an Aſſembly* pro re nata.

FINIS.

THE GENERALL ASSEMBLY, HOLDEN AT S. ANDREWS and EDINBURGH 1641.

Seſſ. I. 20. *July* 1641.

Iohn *Earle of* VVeymes, *His Majeſties Commiſſioner, preſented His Majeſties Letter to the Aſſembly, whereof the tenor followeth.*

CHARLES R.

Ruſtie and welbeloved, Wee greet you well. It is no ſmall part of Our Royall care and deſires, that the true Reformed Religion, wherein by the grace of God, We reſolve to live and dye, be ſettled peaceably in that Our ancient and native Kingdome of *Scotland*, and that the ſame be truly taught, and univerſally received and profeſſed by Our Subjects there, of all degrees. For preventing of all diviſion and trouble hereafter, We did intend in Our Own Royall Perſon, to have been preſent at this Aſſembly; but conceiving it to be unfitting, to detaine the Miniſters from their particular charges, till the time of Our coming to the Parliament, We have reſolved to make knowne unto you by theſe, and by Our Commiſſioner, That in the approching Parliament, it is Our intention by Our authority, to ratifie and confirm the Conſtitutions of the late Aſſembly at *Edinburgh*, that they may be obeyed by all Our Subjects living in that Our Kingdome. And that We will take into Our Royall conſideration, by what meanes the Churches belonging to Our preſentation, when any of them ſhall happen to vaik, may be beſt provided with well qualified Preachers: Like as We are not unwilling to grant preſentations unto ſuch as in theſe times of trouble have entred into the Miniſterie, providing they have been examined by the Presbyteries, and approved by them: Becauſe We want not Our own feares of the decay of Learning in that Church and Kingdome,

We

We intend alſo to conſider of the beſt meanes for helping the Schooles and Colledges of Learning eſpecially of Divinity, that there may be ſuch a number of Preachers there, as that each Pariſh having a Miniſter, and the Goſpel being preached in the moſt remote parts of the Kingdome, all Our Subjects may taſte of Our care in that kinde, and have more and more cauſe to bleſſe God that we are ſet over them. And finally, ſo tender is Our care, that it ſhall not be Our fault if the Churches and Colledges there flouriſh not in Learning and Religion: For which Royall teſtimonie of Our goodneſſe, We require nothing upon your part, but that which God hath bound you unto, even that you be faithfull in the charge committed unto you, and care for the ſoules of the people: That you ſtudy Peace and Unity amongſt your ſelves, and amongſt the people, againſt all Schiſme and Faction; and that you not only pray for Us, but that you teach the People, which We truſt are not unwilling to pay that honour and obedience which they owe unto Us, as his Vicegerent ſet over them, for their good; wherein We expect you will by your good example goe before them. Which hoping you will doe, We bid you farewell. *From Our Court at* Whitehall, *the* 10. *day of July* 1641.

Seſſ. III. 28. *July* 1641.

Act approving the Overtures of the Aſſembly at Aberdene, *for ordering the Aſſembly-Houſe.*

THe Overtures for ordering the Aſſembly-Houſe, given in to, and approved by the Aſſembly of *Aberdene* the 29. *July* 1640. Act Seſſ. 2. were openly read, and again approved by this Aſſembly, and ordained to be kept the whole time thereof.

Seſſ. V. 30. *July* 1641.

Act anent old Miniſters bruiking their Benefices.

THe Aſſembly having conſidered the Supplication given in by Doctor *Robert Howie*, Proveſt of the New Colledge of S. *Andrews*, whereby he craved, that (notwithſtanding of his diſmiſſion of his charge) he ſhould not be prejudged of his full proviſion and maintenance during his life time: The Aſſembly thinks it fit and neceſſary, that his proviſion and maintenance ſhould not be diminiſhed, but that he ſhould injoy the ſame fully, as of before, during all the dayes of his life-time, and craveth his diſmiſſion to be only but a ceſſation from his charge, becauſe of his age and inability: And declares, that old Miniſters and profeſſors of Divinitie, ſhall not by their ceſſation from

from their charge, through age and inabilitie, be put from injoying their old maintenance and dignity. And recommends this and others the like things, concerning the eſtate of that Univerſitie of S. *Andrews*, to the Parliament, and the Viſitation to be appointed from the Aſſembly and Parliament. And likewiſe the Aſſembly being informed, that the ſaid Doctor *Howie* hath been very painfull in his charge, and that he hath divers papers which would be very profitable for the Kirk: Therefore they think fit, that the ſaid doctor *Howie* be deſired to collect theſe papers, which doeth concerne, and may be profitable for the uſe of the Kirk, that the ſamine may be ſhowne to the Viſitors of the ſaid Univerſitie.

Seſſ. VIII. 2. *Aug.* 1641. *à meridie.*

Act againſt ſudden receiving Miniſters depoſed.

THe Aſſembly ordaines, that Miniſters who are depoſed either by Presbyteries, Synods, or Generall Aſſemblies, or Committees from Aſſemblies for the publike cauſe of the Reformation and order of this Kirk, ſhall not be ſuddenly received againe to the Miniſterie, till they firſt evidence their repentance both before the Presbyterie and Synod, within the bounds where they were depoſed, and thereafter the ſamine reported to the next enſuing Generall Aſſembly.

Seſſ. IX. *Aug.* 3. 1641.

The Overtures under-written, concerning the Uniuerſities and Colledges of this Kingdome, to be repreſented by the Generall Aſſembly, to the Kings Majeſty and Parliament, being openly read, the Aſſembly approved the ſaids Overtures, and ordained them to be recommended to the Parliament.

FIrſt, becauſe the good eſtate both of the Kirk and Commonwealth, dependeth mainly upon the flouriſhing of Univerſities and Colledges, as the Seminaries of both, which cannot be expected, unleſſe the poore meanes which they have, be helped, and ſufficient revenues be provided for them and the ſame well imployed: Therefore that out of the rents of Prelacies, Collegiat or Chapter-Kirks, or ſuch like, a ſufficient maintenance be provided for a competent number of Profeſſors, Teachers, and Burſers in all faculties, and eſpecially in Divinitie, and for upholding, repairing, and enlarging the Fabrick of the Colledges, furniſhing Libraries, and ſuchlike good uſes in every Univerſitie and Colledge.

II. Next for keeping of good order, preveening and removing of abuſes, and promoving of pietie and learning, it is very needfull and expedient, that there be a communion and correſpondencie kept betwixt all the Univerſities and Colledges. And therefore that it be ordained, that there be

be a meeting once every year at such times and places as shall be agreed upon, of Commissioners from every Universitie and Colledge to consult and determine upon the common affairs, and whatsoever may concerne them, for the ends above-specified, and who also, or some of their number may represent what shall be needfull and expedient for the same effect, to Parliaments and Generall Assemblies.

Item, that speciall care be had that the places of the Professors, especially of Professors of Divinity in every Universitie and Colledge, Be filled with the ablest men, and best affected to the Reformation and order of this Kirk. III.

Sess. X. *Aug.* 4. 1641.

Act against Impiety and Schisme.

THe Assembly seriously considering the present case and condition of this Kirk & Kingdom, what great things the Lord hath done for us, especially since the renewing of our Covenant, notwithstanding our former backsliding and desertion; and if we shall either become remisse in the dueties of Piety, or shall not constantly hold & keep our Religion, unto which we have bound our selves so straitly & solemnly, what dishonour we doe unto the name of God before men, who have their eyes upon us, and how great judgements we bring upon our selves, upon these and the like considerations, The Assembly doth finde it most necessary to stirre up themselves, and to provoke all others both Ministers and people of all degrees, not only to the religious exercises of publike worship in the Congregation, and of private worship in their Families, and of every one by themselves apart, but also to the dueties of mutuall edification, by instruction, admonition, exhorting one another to forwardnesse in Religion, and comforting one another in whatsoever distresse; and that in all their meetings, whither in the way of civill conversation, or by reason of their particular callings, or any other occasion offered by divine providence, no corrupt communication proceed out of their mouth, but that which is good to the use of edifying, that it may minister grace unto the hearers: And becaus the best means have been, and may still be despised or abused, and particularly the duetie of mutuall edification, which hath been so little in use, and so few know how to practise in the right manner, may be upon the one part subject to the mocking of ungodly and worldly men, who cannot endure that in others, which they are not willing to practise themselves, and upon the other part, to many errors and abuses, to which the godly through their weaknes may fall, or by the craftinesse of others may be drawn into, such as are Error, Heresie, Schisme, Scandall, Self-conceit, and despising of others, pressing above the common calling of Christians, & usurping that which is proper to the Pastoral Vocation, contempt or misregard of the publike means, idle and unprofitable

able questions which edifie not, uncharitable censurings, neglect of duties in particular callings, businesse in other mens Matters and Callings, and many such others in doctrine, charity, and manners, which have dolefully rent the bowels of other Kirks, to the great prejudice of the Gospel.

Therefore the Assembly, moved with the zeal of God against all abuses and corruptions, and according to their manifold obligations, most earnestly desiring and thirsting to promove the work of Reformation, and to have the comfort & power of true godlinesse sensible to every soul, and Religion to be universally practised in every Family, and by every person at all occasions, Doth charge all the Ministers and Members of this Kirk whom they doe represent, that according to their severall places and vocations, they endeavour to suppresse all impiety and mocking of religious exercises, especially of such as put foule aspersions, and factious or odious names upon the godly. And upon the other part, that in the fear of God they be aware and spiritually wise, that under the name and pretext of religious exercises, otherwayes lawfull and necessary, they fall not into the aforesaid abuses; especially, that they eschew all meetings which are apt to breed Error, Scandall, Schisme, neglect of dueties and particular callings, and such other evills as are the works, not of the spirit, but of the flesh, and are contrary to truth and peace; and that the Presbyteries and Synods have a care to take order with such as transgresse the one way or the other.

Sess. XIIII. 6. *Aug.* 1641. *à meridie.*

Act anent Novations.

SInce it hath pleased God to vouchsafe us the libertie of yearly Generall Assemblies, It is ordained according to the Acts of the Assembly at *Edinburgh* 1639. and at *Aberdene*, 1640. that no Novation in doctrine, worship, or government, be brought in, or practised in this Kirk, unlesse it be first propounded, examined, and allowed in the Generall Assembly, and that transgressors in this kinde be censured by Presbyteries and Synods.

Act Sess. XV. 7. *Aug.* 1641.

Overtures anent Bursars, and Expectants.

The Overtures under-written being openly read in audience of the Assembly, were approved, and declared by them to be Acts of the Assembly, in all time coming, to be observed respective, *as the famine bears.*

THe Assembly thinks meet for maintaining of Bursars of Divinitie, that every Presbyterie that consists of twelve Ministers, shall maintain a Bursar, and where the number is fewer nor twelve, shall be joyned with these out of another Presbyterie where their number exceeds:

ceeds: where this course is not already kept, it is to be begun without longer delay, and every Provinciall is ordained to give an accompt of their number of Bursars, that is constantly to be entertained by their Province, at the next ensuing Generall Assembly.

II. No Expectant shall be permitted to preach in publike before a Congregation, till first he be tryed after the same manner, howbeit not altogether with that accuracie which is injoyned by the Act of the Assembly of *Glasgow* 1638. which prescribes the order and manner of tryall, that is to be kept with these who are to be admitted to the holy Ministrie: and none so tryed shall preach in publike, without the bounds of the Universitie or Presbyterie where he past his tryalls, till he first make it known to the other Presbyteries, where he desires to be heard, by a testimoniall from the Universitie or Presbyterie where he lived, that he hath bin of an honest conversation, and past his tryalls conform to the order here prescribed: Which being done in the meeting of the Province or Presbyterie, where he desires to be heard; he is to be allowed by them to preach within the bounds of that Province or Presbyterie, without any further tryall to be taken of him.

III. Expectants being educate in a Colledge that was corrupt, or under a corrupt Minister, if they themselves have been known to have been tainted with error, or opposite to our Covenant, and the blessed Work of Reformation within this Kirk, the same order is to be kept in admitting them to the holy Ministrie, or to any place in the Colledges or Schooles of this Kingdome, that was ordained to be kept in admission of these Ministers who fled out of the Countrey, and shew themselves opposite to our Covenant and Reformation.

Act Sess. XVII. *Aug.* 9. 1641.

Act against unlawfull Bands.

THE Assembly taking to their consideration the question proponed unto them concerning the Band, the copy whereof was presented before them from the Parliament, doth find and declare that Bands of this and the like nature, may not lawfully be made: By which Declaration the Assembly doth not intend to bring any censure for what is past, and by the wisedome and care of the Committee of the Parliament is taken away, upon any person, who being required by the Moderator and the Clerk, shall under his hand declare before them, That as the Assembly doth finde that the subscribers are not astricted by their Oath to the tenor of the said Band, so he findeth himself not to be astricted by his Oath to the tenor thereof; but the intention of the Assembly is meerly to prevent the like in time coming.

Seſſ. XVIII. 9. *Aug.* 1641. *à meridie.*

A Letter from ſome Miniſters in England *to the Aſſemblie.*

Right Reverend and dear Brethren, now conveened in this Generall Aſſembly.

WEe moſt heartily ſalute you in the Lord, rejoycing with you in his unſpeakable goodneſſe, ſo miraculouſly proſpering your late endeavours, both for the reſtoring and ſettling of your own Liberties and Priviledges, in Church and common wealth (which we heare and hope he is now about to accompliſh) as alſo for the occaſioning and advancing of the Worke of Reformation among our ſelves; for which as we daily bleſſe the higheſt Lord, ſole Author of all our good, ſo doe we acknowledge your ſelves worthy Inſtruments thereof. And for that (beſides all other reſpects) doe, and ever ſhall (by the help of God) hold you deare unto us, as our own bowels, and our ſelves obliged to render unto you all due correſpondence according to our power, upon all good occaſions.

And now (deare Brethren) foraſmuch as the Church of Chriſt is but one body, each part whereof cannot but partake in the weale and woe of the whole, and of each other part; and theſe Churches of *England* and *Scotland*, may ſeem both to be imbarqued in the ſame bottome, to ſink and ſwim together, and are ſo near conjoyned by many ſtrong tyes, not only as fellow-members under the ſame Head Chriſt, and felow-ſubjects under the ſame King; but alſo by ſuch neighbour-hood and vicinity of place, that if any evill ſhall much infeſt the one, the other cannot bee altogether free: or if for the preſent it ſhould, yet in proceſſe of time it would ſenſibly ſuffer alſo. And foraſmuch as evills are better remedied in their firſt begining, then after they have once taken deep root; therefore we whoſe names are here under-written, in the behalf of our ſelves, and of many others, Miniſters of the Church of *England*, are bold to commend to your conſideration (being met together in this venerable Aſſembly) a difference of great concernment, which you may pleaſe (in brief) thus to underſtand. Almighty God having now of his infinite goodneſſe raiſed up our hopes of removing the yoke of Epiſcopacie (under which we have ſo long groaned) ſundry other forms of Church-government are by ſundry ſorts of men projected, to be ſet up in the roome thereof: one of which (amongſt others) is of ſome Brethren that hold the whole power of Church-government, and all Acts thereunto appertaining (as Election, Ordination, and Depoſition of Officers, with Admiſſion, Excommunication, and Abſolution of Members) are by divine Ordinance *in foro externo*, to be decreed by the moſt voyces, in, and of every particular Congregation, which (ſay they) is the utmoſt bound of a particular Church, endued with power of government, and only ſome Formalities

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of ſolemne execution to be reſerved to the Officers (as ſervants of the ſaids Church) if they have any, or if none, then to be performed by ſome other members, not in office, whom the ſaid Church ſhall appoint thereunto: And that every of the ſaid particular Congregations (whether they conſiſt of few or many members, and be furniſhed with Officers or not) lawfully may and ought to tranſact, determine and execute all matters pertaining to the government of themſelves, amongſt and within themſelves without any authoritative (though not conſulatory) concurrence or interpoſition of any other perſons or Churches whatſoever, condemning all imperative and deciſive power of Claſſes, or compound Preſbyteries and Synods, as a meere uſurpation. Now becauſe we conceive that your judgement in this caſe may conduce much by the bleſſing of God, to the ſettling of this queſtion amongſt us; Therefore we doe earneſtly intreat the ſame at your hands, and that ſo much the rather, becauſe we ſometimes hear from thoſe of the aforeſaid judgment, that ſome famous and eminent Brethren, even amongſt your ſelves, doe ſomewhat encline unto an approbation of that way of government. Thus humbly craving pardon for our boldneſſe, leaving the matter to your grave conſiderations, and expecting anſwer at your convenient leaſure, We commit you, and the ſucceſſe of this your meeting, to the bleſſing of the Almighty, in whom we ſhall ever remain,

London, 12. *July*. 1641. *Your faithfull Brethren to ſerve you in all offices of love.*

The Aſſemblies Anſwer to the Engliſh Miniſters Letter.

Right reverend and dearly beloved Brethren in our Lord and common Saviour Jeſus Chriſt.

WEe the Miniſters and Elders met together in this Nationall Aſſembly, were not a little refreſhed and comforted by the good report which we heard of you, and others of our Brethren of the Kirk of *England*, by ſome of our Miniſters, who by the good providence of our Lord had ſeen your faces, and converſed with you. But now yet more comforted by your Letters which we received, and which were read in the face of the Aſſembly, witneſſing your Chriſtian love, and rejoycing with us in God for his great and wonderfull Work in the Reformation of this Kirk, and in the beginning of a bleſſed Reformation amongſt your ſelves, and that you are ſo ſenſible of your communion and fellowſhip with us, and to deſire to know our minde and judgement of that which ſome Brethren amongſt you hold, concerning Kirk-government.

We doe with our hearts acknowledge and wonder at the great and unſpeakable wiſedome, mercie, and power of our God, in reſtoring unto us the truth and puritie of Religion, after many Back-ſlidings and defection of ſome in this Kirk, and deſire not only to confeſſe the ſame before the

world, and all other Chriſtian Kirkes, but alſo doe pray for grace to walk worthy of ſo wonderfull a love: We have been helped by your prayers, in our weak endeavours, and you have mourned with us, (we know) in the dayes of our mourning; and therefore is it that you doe now rejoyce and praiſe God with us: Neither are we out of hope, but the ſame God ſhall ſpeedily perfect that which he hath begun amongſt you, that your joy may be full: which is the deſire of our ſoule, and for which we doe now pray, and in our ſeverall Congregations will be inſtant at the throne of grace, for this and all other ſpirituall and temporall bleſſings upon the Kirk and Kingdome of *England*, by name, expecting the like performance of mutuall love from you, and others equally minded with you, for your parts, till a common conſent may be obtained, even that you will recommend the Kirk of *Scotland* by name in your prayers to God. Thus ſhall we be as one people, mourning and rejoycing, praying and praiſing together; which may be one meane of the preſervation of Unity, and of many other bleſſings to us both.

We have learned by long experience, ever ſince the time of Reformation, and ſpecially after the two Kingdomes have been (in the great goodneſſe of God to both) united under one Head and Monarch, but moſt of all of late, which is not unknown to you, what danger and contagion in matters of Kirk-government, of divine worſhip, and of doctrine, may come from the one Kirk to the other, which beſide all other reaſons, make us to pray to God, and to deſire you, and all that love the honour of Chriſt, and the peace of theſe Kirks and Kingdomes, heartily to endevour, that there might be in both Kirks, one Confeſſion, one Directory for publike worſhip, one Catechiſme, and one Forme of Kirk-government. And if the Lord who hath done great things for us, ſhall be pleaſed to hearken unto our deſires, and to accept of our endeavours, we ſhall not only have a ſure foundation for a durable Peace, but ſhall be ſtrong in God, againſt the riſing or ſpreading of Hereſie and Schiſme amongſt our ſelves, and of invaſion from forraine enemies.

Concerning the different Formes of Kirk-government, projected by ſundrie ſorts of men, to be ſet up in place of Epiſcopall Hierarchie, which we truſt is brought near unto its period, we muſt confeſſe, that we are not a little grieved that any godly Miniſters and Brethren ſhould be found, who doe not agree with other Reformed Kirks in the point of government as well as in the matter of Doctrine and worſhip; and that we want not our own feares, that where the hedge of Diſcipline and Government is different, the Doctrine and Worſhip ſhall not long continue the ſame without change: yet doe not marvell much, that particular Kirks and Congregations which live in ſuch places, as that they can conveniently have no dependencie upon ſuperiour Aſſemblies, ſhould ſtand for a kind of independencie and ſupremacie in themſelves, they not conſidering that in a Nation or Kingdome, profeſſing the ſame Religion, the government of the Kirk by compound Presbyteries and Synods is a help and ſtrength, and not a hinderance or prejudice to particular Congregations and Elderſhips, in all the parts of Kirk-government; and that Presbyteries and Synods are not an extrinſecall power ſet over particular Kirks, like unto Epiſ-

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copall dominion, they being no more to be reputed extrinsecall unto the particular Kirks, nor the power of a Parliament, or Convention of Estates, where the Shires and Cities have their own Delegates, is to be held extrinsecall to any particular Shire or City.

Our unanimous judgement and uniforme practice, is, that according to the order of the Reformed Kirks, and the ordinance of God in his Word, not onely the solemne execution of Ecclesiasticall power and authoritie, but the whole acts and exercise thereof, do properly belong unto the Officers of the Kirk; yet so that in matters of chiefest importance, the tacite consent of the Congregation be had, before their decrees and sentences receive finall execution, and that the Officers of a particular Congregation, may not exercise this power independently, but with subordination unto greater Presbyteries and Synods, Provinciall and Nationall: which as they are representative of the particular Kirks conjoyned together in one under their government; so their determination, when they proceed orderly, whether in causes common to all, or many of the Kirks, or in causes brought before them by appellations or references from the inferiour, in the case of aberation of the inferiour, is to the severall Congregations authoritative and obligatorie and not consultatory only: And this dependencie and subordination, we conceive not only to be warranted by the light of nature, which doth direct the Kirk in such things as are common to other societies, or to be a prudentiall way for Reformation, and for the preservation of Truth and Peace, against Schisme, Heresie, and Tyranny, which is the sweet fruits of this government whereso ever it hath place, and which we have found in ancient and late experience; but also to be grounded upon the word of God, and to be conforme to the paterne of the Primitive and Apostolicall Kirks: and without which, neither could the Kirks in this Kingdome have been reformed, nor were we able for any time to preserve Truth and Unity amongst us.

In this forme of Kirk-government, our unanimity and harmony by the mercy of God, is so full and perfect, that all the Members of this Assembly have declared themselves to be of one heart, and of one soule, and to be no lesse perswaded, that it is of God, then that Episcopall government is of men; resolving by the grace of God, to hold the same constantly all the dayes of our life, and heartily wishing that God would blesse all the Christian Kirks, especially the famous Kirk of *England*, unto which in all other respects we are so nearly joyned with this divine Forme of government. Thus having briefly and plainly given our judgement for your satisfaction, and desiring and hoping that ye will beleeve against all mis-reports, that we know not so much as one man, more or lesse eminent amongst us, of a different judgement, we commend you unto the riches of the grace of Christ, who will perfect that which he hath begun amongst you, to your unspeakable comfort. Subscribed by our Moderator and Clerk.

Edinburgh 9. *Aug.* 1641.

The

The Assemblies Answer to the Kings Majesties Letter.

Most gracious Soveraign,

BEside the conscience of that duetie which we owe to supreme Authority, we are not only encouraged, but confirmed by the Royall favour and Princely munificence, expressed in Your gracious Majesties Letters, which filled our hearts with joy, and our mouths with praise, to offer up our prayers with the greater fervencie to God Almightie for Your Majesties happinesse, our selves for our own parts, and for the whole Kirks of this your Majesties Kingdome, which we doe represent, to serve Your Majestie in all humble obedience, our faithfull labours for preserving Trueth and Peace amongst all Your Majesties Subjects, and our example (according to Your Majesties just commandments laid upon us) to be a presedent to others in paying that honour,) which by all Lawes divine and humane, is due unto Your sacred Majestie, being confident that your Majestie shall finde at your coming hither much more satisfaction and content then can be expressed by

Your Majesties most humble Subjects and faithfull servants, the Ministers and Elders met together in the venerable Assembly at S. Andrews, *July* 20. *and* Edinburgh, *July* 27. 1641.

Act anent the Kirk of Campheir.

THe which day a motion was made in the Assembly, that it seemed expedient for correspondencie that might be had from forraigne parts, for the weal of this Kirk, That the Scots Kirk at *Campheir* were joyned to the Kirk of *Scotland*, as a Member thereof: Which being seriously thought upon and considered by the Assembly, they approved the motion, and ordained M. *Robert Baillie* Minister at *Cilwinning*, to write to M. *William Spang* Minister at *Campheir*, and Kirk Session thereof, willing them to send their Minister, and a ruling Elder, instructed with a Commission to the next Generall Assembly to be holden at S. *Andrews*, the last Wednesday of *July* 1642. at which time they should be inrolled in the Books of the Generall Assembly, as Commissioners of the Generall Assembly of *Scotland*, from the Scots Kirk at *Campheir*.

THe *Assembly appoints the next Generall Assembly to be holden at* S. Andrews, *the last Wednesday of July next* 1642.

FINIS.

THE GENERALL ASSEMBLY, CONVEENED At S. ANDREWS *July* 27. 1642.

Act Seſſ. I. 27. *July* 1642.

The Kings Letter to the Generall Aſſembly, preſented by His Majeſties Commiſsioner, the Earle of Dumfermling, *July* 27. 1642.

CHARLES R.

IN the midſt of Our great and weighty affaires of Our other kingdoms, which God Almighty, who is privie to Our Intentions, and in whom We truſt, will in his own time bring to a wiſhed and peaceable concluſion, We are not unmindfull of that duetie which we owe to that Our ancient and native Kingdome, and to the Kirks there, now met together by their Commiſſioners in a Nationall Aſſembly. God whoſe Vicegerent We are, hath made Us a King over divers Kingdomes, and We have no other deſire, nor deſigne, but to govern them by their own Lawes, and the Kirks in them by their own Canons and Conſtitutions. Where any thing is found to be amiſſe, We will endeavour a Reformation in a fair and orderly way; and where a Reformation is ſettled, We reſolve, with that authoritie wherewith God hath veſted Us, to maintain and defend it in peace and libertie, againſt all trouble that can come from without, and againſt all Hereſies, Sects and Schiſmes which may ariſe from within, Nor do We deſire any thing more in that Kingdom (and when We ſhall hear of it, it ſhall be a delight and matter of gladneſſe unto Us) then that the Goſpel be faithfully preached throughout the whole Kingdom, to the outmoſt skirts and

and borders thereof. Knowing that to be the mean of honour to God, of happinesse to the people, and of true obedience to Us. And for this effect, that holy and able men be put in places of the Ministery, and that Schooles and Colledges may flourish in Learning and true Piete. Some things for advancing of those ends, We did of Our own accord promise in Our Letters to the last Assembly, and We make your selves Judges, who were witnesses to Our Actions, while We were there in Person, whether we did not perform them both in the point of presentations which are in our hands, and in the liberall provision of all the Universities and Colledges of the Kingdome, not only above that which any of Our Progenitors had done before Us, but also above your owne hopes and expectation. We doe not make commemoration of this Our Beneficence, either to please Our selves, or to stop the influence of Our Royall goodnesse and bountie for afterward, but that by these reall demonstrations of Our unfained desires and delight to do good, you may be the more confident to expect from Us, whatsoever in Justice We can grant, or what may be expedient for you to obtaine. We have given expresse charge to Our Commissioner, to see that all things be done there orderly and peaceably, as if We were present in Our Own Person; not doubting but in thankfulnesse for your present estate and condition, you will abstaine from every thing that may make any new disturbance, and that you will be more wise then to be the enemies of your own peace, which would but stumble others, and ruine your selves. We have also commanded Our Commissioner to receive from you your just and reasonable desires, for what may further serve for the good of Religion, that taking them to Our consideration, We may omit nothing which may witnesse Us to be indeed a nursing Father of that Kirk, wherein We were born and baptized, and that if ye be not happy, you may blame not Us, but your selves. And now what doe We again require of you, but that which otherwise you owe to Us as your Soveraigne Lord and King, even that ye pray for Our prosperitie and the peace of Our Kingdomes, that ye use the best meanes to keep Our People in obedience to Us and Our Lawes, which doth very much in Our personall absence from that Our Kingdome depend upon your preaching, and your owne exemplary loyaltie and faithfulnesse, and that against all such jealousies, suspitions and sinister rumors as are too frequent in these times, and have been often falsified in time past, by the tenour of the contrary events: Ye judge Us and Our professions by Our actions, which We trust through God in despight of malice shall ever go on in a constant way for the good of Religion, and the weal of Our People, which is the Chiefest of Our intentions and desires. And thus We bid you farewell. *Given at Our Court at* Leicester, *the* 23. *of* July, 1642.

To Our trusty and wel beloved the Generall Assembly in Our Kingdom of Scotland *conveened at S.* Andrews.

Act Sess. III. *July* 29. 1642.

Act for bringing in of the Synode Books yeerly to the Generall Assemblies.

THE Moderator calling to minde that which was forgotten in the preceeding Sessions, the examination of the Provinciall Books, caused call the Roll of the Provinciall Assemblies, And the Assembly finding very few Provinces to have sent their Books to this Assembly, notwithstanding of the ordinance of the former Assembly thereanent, for the more exact obedience of that ordinance hereafter, the Assembly in one voyce ordaines, That the Books of every Provinciall Assembly shall be brought and produced to every Generall Assembly: And that this may be performed, ordaines that every Clerk of the Provincialls, either bring or send the said Books yearly to the Generall Assemblies, by the Commissioners sent to the Assemblies, from these Presbyteries where the Clerks reside. Which charge the Assembly also layes upon the said Commissioners, sent from the saids Presbyteries where the Clerks reside, ay and while some meanes be provided, whereby the Clerks charges may be sustained for coming with the saids Books themselves: And that under the pain of deprivation of the Clerk in case of his neglect, and of such censure of the saids commissioners, in case of their neglect as the Assembly shall think convenient.

Act Sess. V. *Aug.* 1. 1642.

Act anent the chooſing of Kirk Seſſions.

ANent the question moved to the Assembly, concerning the election of Kirk Sessions, The Assembly ordaines the old Session to elect the new Session both in Burgh and Land. And that if any place shall vaik in the Session chosen, by death or otherwise, the present Session shall have the election of the person to fill the vacand roome.

Sess. VI. 2. *Aug.* 1642.

The report of the interpretation of the Act at Edinburgh, *anent tryall of Miniſters.*

THe meaning of the foresaid Act, is not that an actuall Minister to be transported, shal be tried again by the tryals appointed for trying of Expectants, at their entry to the Ministery, according to the Acts of the Kirk; but only that he bringing a Testimoniall of his former tryalls, and of his abilities, and conversation, from the Presbyterie

from whence he comes, and giving such satisfaction to the Parochiners Presbyterie whereto he comes in preaching, as the Presbyterie finds his gifts fit and answerable for the condition and disposition of the Congregation, whereto he is presented. Because, according to the Act of the Assembly 1596. renewed at *Glasgow*, some that are meet for the Ministery in some places, are not meet for all alike: and Universities, Towns and Burghs, and places of Noblemens residence, or frequencie of Papists, and other great and eminent Congregations, and in sundry other cases, require men of greater abilities, nor will be required necessarily in the planting of all private small Paroches, the leaving of the consideration of these cases unto the judgement and consideration of the Presbyrerie, was the only intention of the Act.

The Assembly approves the meaning and interpretation foresaid: and appoints the said Act, according to this interpretation, to stand in force, and to have the strength of an Act and Ordinance of Assembly in all time coming.

Act Sess. VII. 3. *Aug.* 1642.

Act anent the order for making Lists to His Majestie, and other Patrons for Presentations; the order of tryal of Expectants, and for trying the quality of Kirks.

FOrsameikle as His Majestie was graciously pleased in His Answer to the Petition, tendred by the Commissioners of the late Assembly to His Majestie, to declare and promise, for the better providing of vaiking Kirks at His Majesties Presentation with qualified Ministers, to present one out of a list of six persons, sent to His Majestie from the Presbyteries wherein the vaiking Kirk lyeth, as His Majesties Declaration, signed with his Royal hand at *White-hall*, the 3. of *January* last, registrate in the books of Assembly, this day at length beares. And suchlike whereas the Lords of Exchequer upon a Petition presented to them by the Commissioners of the Generall Assembly, and the Procurator and Agent for the Kirk representing two Prejudices; one, that gifts obtained from His Majestie of patronages of Kirks, at His Presentation were passing the Exchequer, without the qualification and provision of a List, wherewith His Majestie was pleased to restrict Himself; and the other, that some were seeking gifts of patronage of Bishop-Kirks, which are declared to belong to Presbyteries, to be planted by two Acts of the late Parliament: The saids Lords have ordained that no signator, containing gifts of patronages from His Majestie, shall passe hereafter, but with a speciall provision that the same shall be lyable to the tenor of His Majesties said Declaration. Ordaining also the Procurator and Agent of the Kirk to be advertised, and to have place to see all signators whatsoever, containing any patronage, to the effect they may represent the interest of the Kirk therein; as the said Act of the date the 27. of *June* last, registrate also in the Books of Assembly, this day at length beares. Therefore, that the saids

Kirks

Kirks which now are, or which were at His Majesties presentation the said third day of *January* last, may be the better provided with able Ministers, when the famine shall vaik, The Assembly ordaines that hereafter every Presbyterie shall give up yearly a Roll of the ablest of their Expectants, to their Synods; and that the Synods select out of these Rolls such persons whom they in certain knowledge judge most fit for the Ministrie, and worthiest of the first place; With Power to the Synods to adde or alter these Rolls given by the Presbyteries, as they thinke reasonable: And that the Synods shall send the Rolls made by them in this manner, to the next Generall Assembly, who shall also examine the Rolls of the Synods, and adde or alter the same as shall be thought expedient. Which Roll made by the Generall Assembly, shall be sent to every Presbyterie, and that the Presbyterie, with consent of the most or best part of the Congregation, shall make a List of six persons willing to accept of the presentation out of that Roll of the Assembly, upon every occasion of vacation of any Kirk within their bounds, and shall send the samine, together with a blank presentation: The which (if His Majesty be Patron to the vacant Kirk) shall be sent by the said Procurator and Agent, to such as the Commissioners of the Generall Assembly, or in their absence the Presbyteie of *Edinburgh*, shall direct and think at that time most able and willing to obtain the presentation, to be signed and filled up by His Majesties choise of one of the List. And if the vacant Kirk be of a Patronage disponed by His Majesty since the 3. of *January*, in that case either the Presbyteries themselves shall send a List of six persons in maner aforesaid, with a blank presentation to the Patron, to be filled up by his choise, and subscribed, or send the samine to the saids Officers of the Kirk, to be conveyed by them to the Patron of the vaiking Kirk, as the Presbyterie shall think most expedient. It is alwayes declared, that this order shall be without prejudice to the Presbyteries, with consent foresaid, to put actuall Ministers upon the said List of six persons, to be sent to the Patron of the said vaiking Kirks, if they please. And least that the nomination of Expectants by Presbyteries, Synods, or Assemblies, in their Rolls or Lists foresaid, be mis-interpreted, as though the Expectants nominated in these Rolls and Lists, were thereby holden and acknowledged to be qualified, which is not the intention of the Assembly, who rather think, that in respect of this Order, there should be a more exact tryall of Expectants then before: Therefore the Assembly ordaines, That no Expectants shall be put on the Rolls or Lists above-mentioned, but such as have been upon the publike exercise, at the least by the space of half a year, or longer, as the Presbyterie shall finde necessary. And suchlike ordaines, that hereafter none be admitted to the publike exercise, before they be tryed, according to the tryall appointed for Expectants, at their entrie to the Ministerie in the late Assembly at *Glasgow*, in the 24. Article of the Act of the 23. Session thereof: which tryall, the Assembly appoints to be taken of every Expectant, before his admission to the publike exercise. And suchlike ordaines, That the samine tryall shall be again taken immediatly before their admission to the Ministerie, together with their tryall mentioned in the advice of some Brethren deputed for penning the corruptions of the Ministery, approven

in the said Act of the Generall Assembly at *Glasgow*. And because that Kirks of the patronages foresaids, will vak before the Rolls and Lists be made up by the Presbyteries, Synods, and Generall Assemblies, in manner foresaid: Therefore in the *interim* the Assembly ordains the Commissioners of every Presbyterie here present, to give in a List of the ablest Expectants within their bounds, the morn, to the Clerk of the Assembly, that the Assembly may out of these Rolls, make a List to be sent to every Presbyterie: Out of which the Presbyteries shall make a List of six persons, with consent foresaid, and send the same upon vacancie of any Church within their bounds, together with a presentation to His Majestie, or any other patron, in manner foresaid. And because the Procurator and Agent of the Kirk cannot get sufficient information to the Lords of Exchequer, anent the Right and Interest of the Kirk, and Presbyteries in Kirks, whereof gifts of patronages may be presented to the Exchequer: Therefore the Assembly ordaines for their better information hereanent, that every Presbyterie, with all diligence, use all meanes of exact tryall of the nature and qualitie of all Kirks within their bounds, as what Kirks belong to the Kings Majesties patronage, what to other Laick patronages, what Kirks of old were planted by Presbyteries, and what by Prelates, and Bishops, before the Assembly at *Glasgow* 1638. what hath been the way and time of the change of the planting and providing of the Kirks, if any have been changed or any other thing concerning the nature and qualitie of every Kirk within their bounds, and to send the same to the Procurator of the Kirk with all diligence.

Act anent Lists for the Kirks in the High-lands.

THe Assembly considering that in *Argyle*, and in other places of the *Irish* language, there will not be gotten six expectants able to speak that language, And therfore the Assembly is hopefull, that in these singular cases, His Majestie will be pleased for Kirks vacand in the *Highlands*, to accept of a List of so many expectants as can be had, able to speak the *Irish* language. And the Commissioners Grace promiseth to recommend it to His Majestie.

Overtures against Papists, non-Communicants, and profaners of the Sabbath.

THe Assembly would draw up a Supplication to be presented by the Commissioners of the Presbyterie of *Edinburgh* to the Councell at their first meeting, for the due execution of the Acts of Parliament and Councell against Papists; wherein it will be specially craved, that the Exchequer should be the Intromettors with the Rents of these who are excommunicate; and that from the Exchequer the Presbyterie may receive that portion of the confiscate goods, which the Law appoints to be imployed *ad pios usus*.

Every

Every Presbyterie would conveen at their first meeting, all known Papists in their bounds, and require them to put out of their company, all friends and servants who are Popish within one moneth: also within that same space, to give their children, sons and daughters, who are above seven yeers old, to be educate at their charges, by such of their Protestant friends, as the Presbyterie shall approve, and finde sufficient caution for bringing home within three moneths such of their children who are without the Kingdom, to be educate in Schooles and Colledges at the Presbyteries sight; to finde caution likewise of their abstinence from Masse, and the company of all Jesuits and Priests. II.

That all, of whatsoever rank or degree, who refuse to give satisfaction in every one of the foresaid Articles, shall be Processed without any delay, but those who give satisfaction shall be deale with in all meeknesse, after this manner: The Presbyteries shall appoint such of their number as they shall find fittest to conferr with them so frequently as the Brethren are able to attend, untill the midst of October next, against which time, if they be not willing to go to Church, they shall give assurance to go and dwell in the next adjacent University Town, whether *Edinburgh*, *Glasgow*, *S. Andrews*, or *Aberdene*, from Novemb. 1. to the last of March, where they shall attend all the diets of conference which the professors and Ministers of the bounds shal appoint to them: by which, if they be not converted, their obstinacy shal be declared in the Provincial Synods of April, and from thence their Processe shall go on to the very closure without any farther delay. III.

That every Presbyterie, as they will be answerable to the next Generall Assembly, be carefull to do their dutie in all the premisses. IIII.

That there be given presently by the members of this present Assembly unto the Commissioners of the Presbyterie of *Edinburgh*, a List of all excommunicate Papists they know, and of all Papists who have children educate abroad, that they may be presented, together with our Supplication, to the Councell, at their first sitting. V.

That the Councell may be supplicate for an Act, that in no Regiment which goes out of the Kingdom, any Papists bear office, and that the Colonell be required to finde caution for this effect, before he receive the Councels Warrant for levying any Souldiers: also that he finde caution for the maintaining of a Minister, and keeping of a Session in his Regiment. VI.

Item, the Assembly would enjoyn every Presbyterie to proceed against non-Communicants, whether Papists or others, according to the Act of Parliament made thereanent. And suchlike, that Acts of Parliament against prophaners of the Sabbath be put to execution.

The Assembly approves the Overtures foresaid, and ordains Presbyteries to put the same in execution with all diligence: And that the Commissioners of every Presbyterie give in a List of the excommunicate Papists within their bounds, and of Papists children but of the Countrey, to the Clerk, that the same may be presented to the Councell by the Commissioners of this Assembly.

Act

Act anent the joyning of the Presbyterie of Sky *to the Synode of* Argyle.

THe Generall Assembly having considered the whole proceedings of the Commissioners of the late Generall Assembly holden at *Edinburgh*, anent the reference made to them concerning the Presbyterie of *Sky*, together with the whole reasons *pro & contra* in the said matter, after mature deliberation have ratified and approved, and by these presents ratifie and approve the Sentence of the saids Commissioners thereintill. And further ordains the said Presbytery of *Sky*, and all the Ministers and Elders thereof, to keep the meetings of the Provincial Assembly of *Argyle*, where they shall happen to be appointed in all time coming, suchlike as any other Presbyterie within the bounds of the said Province of *Argyle* uses to do: And that the samine Presbyterie be in all time hereafter within the jurisdiction of the said Provincial Assembly, without any further question to be made thereanent.

Sess. VIII. 3. *Aug. post meridiem.*

The Supplication of this Assembly to the KINGS MAJESTIE.

To the Kings most Excellent Majestie, the hearty thanksgiving, and humble Petition of the Generall Assembly of the Kirk of Scotland, *met at* S. Andrews *July* 27. 1642.

OUr hearts were filled with great joy and gladnesse at the hearing of Your Majesties Letter, which was read once and again in face of the Assembly, every line thereof almost either expressing such affection to the reformed Religion, and such royall care of us, as we could require from a Christian Prince; or requiring such necessary duties from us, as we are bound to performe as Ministers of the Gospel, and Christian Subjects: For which, as solemne thanks were given by the Moderator of the Assembly, so do we all with one voice in all humility, present unto Your Majestie the thankfulnesse of our hearts, with our earnest prayers to God for your Majesties prosperity, and the peace of Your Kingdoms, that Your Majestie may be indeed a nursing Father to all the Kirks of Christ in Your Majesties Dominions; and especially to the Kirk of *Scotland*, honoured with Your Birth and Baptisme: promising our most serious indeavours by doctrine and life, to advance the Gospel of Christ, and

and to keep the people in our charge in Unity and Peace, and in all loyalty and obedience to Your Majestie and Your Laws. Your Majesties commands to Your Commissioner, the Earle of *Dumfermling*, to receive from us our just and reasonable desires for what may further serve for the good of Religion here, the favours which we have received already, and Your Majesties desire and delight to do good, expressed in Your Letter, are as many encouragements to us, to take the boldnesse in all humility to present unto Your Majestie (beside the particulars recommended to Your Majesties Commissioner) one thing, which for the present is the chiefest of all Our desires, as serving most for the glory of Christ, for Your Majesties Honour and Comfort; and not onely for the good of Religion here, but for the true happinesse and peace of all Your Majesties Dominions; which is no new motion, but the prosecution of that same which was made by the Commissioners of this Your Majesties Kingdom in the late Treatie, and which Your Majestie, with advice of both Houses of Parliament, did approve in these words: *To their desire concerning unitie in Religion and uniformitie of Church government, as a speciall meanes of conserving of Peace betwixt the two Kingdoms, upon the grounds and reasons contained in the Paper of the* 10. *of* March, *given in to the Treaty and Parliament of* England: It is answered upon the 15 of *June, That His Majestie, with advice of both Houses of Parliament, doth approve of the affection of His Subjects of* Scotland, *in their desire of having the conformity of Church-government betwixt the two Nations, and as the Parliament hath already taken into consideration the reformation of Church government, so they will proceed therein in due time, as shall best conduce to the glory of God, the Peace of the Church, and of both Kingdoms*; 11. *of* June 1641. In Our Answer to a Declaration sent by the now Commissioners of this Kingdom from both Houses of Parliament, we have not onely pressed this point of unity in Religion and Uniformity of Church-government, as a meane of a firme and durable union betwixt the two Kingdomes, and without which former experiences put us out of hope long to enjoy the puritie of the Gospel with Peace, but also have rendred the reasons of our hopes and confidence, as from other considerations, so from Your Majesties late Letter to this Assembly, that Your Majestie in a happy conjunction with the Houses of Parliament, will be pleased to settle this blessed Reformation, with so earnestly desired a Peace in all Your Dominions. And therfore we Your Majesties most loving Subjects, in name of the whole Kirks of *Scotland*, represented by us, upon the knees of our hearts, do most humbly and earnestly beg, that Your Majesty in the deep of Your Royall Wisdom, and from Your affection to the true Religion, and the Peace of Your Kingdoms, may be moved to consider, that the God of Heaven and Earth is calling for this Reformation at Your hands, and that as you are his Vice-gerent, so You may be his prime Instrumene in it. If it shall please the Lord (which is our desire and hope) that this blessed unitie in Religion and Uniformity in Government shall be brought about; Your Majesties Conscience, in performing of so great a dutie, shall be a well-spring of comfort to Your Self, Your memory shall be a sweet savour, and Your name renowned to all following generations. And

if

if these unhappy commotions and divisions shall end in this peace and unity, then it shall appeare in the Providence of God, they were but the noyse of many waters, and the voyce of a great thunder before the voyce of harpers harping with their harps, which shall fill this whole Iland with melodie and mirth, and the name of it shall be, THE LORD IS THERE.

The Declaration of the Parliament of *England*, sent to the Assembly.

THE Lords and Commons in this present Parliament assembled, finding to their great grief, that the distractions of this Kingdome daily increase, and that the wicked counsells and practises of a malignant party amongst us (if God prevent them not) are like to cast this nation into bloud & confusion, To testifie to all the World how earnestly they desire to avoid a Civill Warre, they have addressed themselves in an humble Supplication to His Majestie, for the prevention thereof. A Copy of which their Petition, they have thought fit to send at this time to the Nationall Assembly of the Church of *Scotland*, to the intent that that Church and Kingdome (whereunto they are united by so many and so near bonds and tyes, as well Spirituall as Civill) may see that the like minde is now in them, that formerly appeared to be in that Nation. And that they are as tender of the effusion of Christian bloud on the one side, as they are zealous on the other side of a due Reformation both in Church and State. In which work, whilest they were labouring, they have been interrupted by the plots and practises of a malignant party of Papists, and ill-affected persons, especially of the corrupt and dissolute Clergy, by the incitement and instigation of Bishops, and others, whose avarice and ambition being not able to bear the Reformation endeavoured by the Parliament, they have laboured (as we can expect little better fruit from such trees) to kindle a flame, and raise a combustion within the bowels of this Kingdom: Which if by our humble supplication to His Majesty it may be prevented, and that according to our earnest desire therein, all Force and Warlike preparations being laid aside, we may returne to a peaceable Parliamentary proceeding, We do not doubt, but that by the blessing of Almighty God upon our endeavours, we shall settle the matters both in Church and State, to the encrease of His Majesties Honour and State, the peace and prosperitie of this Kingdome, and especially to the glory of God, by the advancement of the true Religion, and such a Reformation of the Church, as shall be most agreeable to Gods Word. Out of all which, there will also most undoubtedly result a most firme and stable Union between the two Kingdomes of *England* and *Scotland*, which according to our Protestation, we shall by all good wayes and meanes, upon all occasions, labour to preserve and maintain,

Subscribitur Jo. Brown *Cler. Parl.*

The

The Assemblies Answer to the Declaration of the Parliament of *England*.

THe Generall Assembly of the Kirk of *Scotland*, having received a Declaration sent unto them by the Commissioners of this Kingdome, now at *London*, from the Honourable Houses of the Parliament of *England*, expressing their care to prevent the effusion of Christian bloud in that Kingdome, and their affections to Reformation both in Kirk and State, and having taken the same to such consideration as the importance of so weighty matters, and the high estimation they have of so wise and honourable a meeting as is the Parliament of *England*, did require; have with universall consent resolved upon this following Answer.

That from the recent sense of the goodnesse of God, in their own late deliverance, and from their earnest desire of all happinesse to our native King and that Kingdome, they blesse the Lord for preserving them in the midst of so many unhappy divisions and troubles from a bloudy Intestine War, which is from God the greatest Judgement, and to such a nation the compend of all calamities. They also give God thanks for their former and present desires of a Reformation, especially of Religion, which is the glory and strength of a Kingdome, and bringeth with it all temporall blessings of prosperity and peace. I.

That the hearts of all the members of this Assembly, and of all the well-affected within this Kingdome, are exceedingly grieved and made heavy, that in so long a time, against the professions both of King and Parliament, and contrary to the joynt desires and prayers of the godly in both Kingdomes, to whom it is more deare and precious then what is dearest to them in the world, the Reformation of Religion hath moved so slowly, and suffered so great interruption. They consider that not only Prelates, formall Professours, profane and worldly men, and all that are Popishly affected, are bad councellours and workers, and do abuse their power, and bend all their strength and policies against the Work of God; but the God of this world also, with Principalities and Powers, the rulers of the darknesse of this world, and spirituall wickednesse in high places, are working with all their force and fraud in the same opposition, not without hope of successe, they having prevailed so farre from the beginning, That in the times of the best Kings of *Juda* of old, and the most part of the Reformed Kirks of late, a through and perfect Reformation of Religion hath been a work full of difficulties, Yet doe they conceive, that as it ought first of all to be intended, so should it be above all other things, with confidence in God, who is greater then the world, and he who is in the world, most seriously endeavoured. And that when the supreame Providence giveth opportunity of the accepted time and day of salvation, no other work can prosper in the hands of his servants, if it be not apprehended, and with all reverence and faithfulnesse improved. This Kirk and Nation, when the Lord gave them the calling, considered not their own deadnesse, nor staggered at the promise through unbelief, but gave glory to God. II.

And who knoweth (we ſpeak it in humility and love, and from no other mind then from a deſire of the bleſſing of God upon our King and that Kingdome) but the Lord hath now ſome controverſie with *England*, which will not be removed, till firſt and before all, the worſhip of his name and the government of his houſe be ſettled according to his own will? When this deſire ſhall come, it ſhall be to *England*, after ſo long deferred hopes, a tree of life, which ſhall not only yeeld temporall bleſſings unto themſelves, but alſo ſhall ſpread the branches ſo far, that both this nation and other reformed Kirks ſhall finde the fruits thereof to their great ſatisfaction.

III. The Commiſſioners of this Kingdome in the late Treaty of peace, conſidering that Religion is not only the meane of the ſervice of God, and ſaving of Souls, but is alſo the baſe and foundation of Kingdomes and Eſtates, and the ſtrongeſt band to tye Subjects to their Prince in true loyaltie, and to knit the hearts of one to another in true unity and love, They did with preface of all due reſpect and reverence, far from arrogancy or preſumption, repreſent in name of this Kingdome, their ſerious thoughts and earneſt deſires for unity of Religion, That in all His Majeſties Dominions, there might be one Confeſſion of Faith, one directory of worſhip, one publike Catechiſme, and one form of Kirk Government. This they conceived to be acceptable to God Almighty, who delighteth to ſee his People walking in truth and unity, to be a ſpeciall meanes for conſerving of peace betwixt the Kingdomes, of eaſing the Kings Majeſty, and the publike government of much trouble, which ariſeth from differences of Religion, very grievous to Kings and Eſtates; of great content to the King himſelf, to his Nobles, his Court, and all his People, when (occaſioned to be abroad) without ſcruple to themſelves, or ſcandall to others, all may reſort to the ſame publike worſhip, as if they were at their own dwellings; of ſuppreſsing the names of Hereſies, and Sects, Puritans, Conformiſts, Separatiſts, Anabaptiſts, &c. which do rent aſunder the bowels both of Kirk and Kingdome; of deſpaire of ſucceſſe to Papiſts and Recuſants, to have their profeſſion, which is inconſiſtent with the true Proteſtant Religion, and authority of Princes, ſet up again, and of drawing the hearts and hands of Miniſters, from unpleaſant and unprofitable Controverſies, to the preſsing of mortification, and to Treatiſes of true pietie, and practicall Divinity. The Aſſembly doth now enter upon the labour of the Commiſsioners, unto which they are encouraged, not only by their faithfulneſſe in the late Treaty, but alſo by the zeale and example of the Generall Aſſemblies of this Kirk in former times, as may appeare by the Aſſembly at *Edinburgh*, *Decemb.* 25. in the year 1566. which ordained a Letter to be ſent to *England* againſt the Surplice, Tippet, Corner-cap, and ſuch other Ceremonies as then troubled that Kirk, that they might be removed. By the Aſſembly at *Edinburgh*, *April* 24. 1583. humbly deſiring the Kings Majeſty, to command his Ambaſſadour, then going to *England*, to deale with the Queen, that there might be an Union and Band, betwixt them and other Chriſtian Princes and Realmes, profeſsing the true Religion for defence and protection of the Word of God, and Profeſſors thereof, againſt the perſecution of Papiſts and confederates

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joyned and united together by the bloudy league of *Trent*: as also that her Majesty would disburden their brethren of *England* of the yoke of Ceremonies, imposed upon them, against the liberty of the Word: And by the Assembly at *Edinburgh*, 1 *March* 8. 1589. ordaining the Presbyterie of *Edinburgh* to use all good and possible means for the relief and comfort of the Kirk of *England*, then heavily troubled for the maintaining the true discipline and government of the Kirk, and that the Brethren in their private and publike prayers, recommend the estate of the afflicted Kirk of *England* to God. While now by the mercy of God the conjunction of the two Kingdomes is many wayes increased, the zeale of the Generall Assembly towards their happinesse ought to be no lesse. But besides these, the Assembly is much encouraged unto this duetie, both from the Kings Majesty and his Parliament, joyntly, in their Answer to the proposition, made by the late Commissioners of the Treaty, in these words: *To their desire concerning unity of Religion, and uniformity of Kirk government, as a speciall meanes for conserving of peace betwixt the two Kingdomes, upon the grounds and reasons contained in the paper of the* 10 *of* March, *and given in to the Treatie and Parliament of* England: *It is answered upon the* 15. *of* June, *That his Majestie with advice of both Houses of Parliament, doth approve of the affection of His Subjects of* Scotland, *in their desire of having conformitie of Kirk-government betweene the two Nations, and as the Parliament hath already taken into consideration the Reformation of Kirk-government, so they will proceed therein in due time, as shall best conduce to the glory of God, the peace of the Kirk, and of both Kingdomes.* And also severally: for His Majestie knoweth that the custodie and vindication, the conservation and purgation of Religion, are a great part of the duetie of Civill authority and power. His Majesties late practise while he was here in person, in resorting frequently to the exercises of publike worship, His Royall actions, in establishing the worship and government of this Kirk in Parliament, and in giving order for a competent maintenance to the Ministery and Seminaries of the Kirk, and His Majesties gracious Letter to the Assembly (seconded by the speech of His Majesties Commissioner) which containes this religious expression: *Where any thing is amisse, we will endeavour a Reformation in a fair and orderly way, and where Reformation is settled, we resolve with that authority wherewith God hath vested us, to maintain and defend it in peace and liberty, against all trouble that can come from without, and against all Heresies, Sects, and Schismes, which may arise from within.* All these doe make us hopefull that His Majestie will not oppose, but advance the work of Reformation. In like manner the Honourable Houses of Parliament, as they have many times before witnessed their zeale, so now also in their Declaration sent to the Assembly, which not only sheweth the constancy of their zeale, but their great grief that the worke hath been interrupted by a malignant party of Papists and evill affected persons, especially of the corrupt and dissolute Clergie, by the incitement and instigation of Bishops and others, their hope according to their earnest desire, when they shall returne to a peaceable and Parliamentary proceeding, by the blessing of God, to settle such a Reformation in the Church, as shall be agreeable to Gods word, and that the result shall be a most firm and stable

union between the two Kingdoms of *England* and *Scotland*, &c. The Assembly also is not a little encouraged by a Letter sent from many reverend Brethren of the Kirk of *England*, expressing their prayers and endeavours against every thing which shall be found prejudiciall to the establishment of the Kingdome of Christ, and the Peace of their Soveraigne. Upon these encouragements, and having so patent a doore of hope, the Assembly doth confidently expect, that *England* will now bestirre themselves in the best way for a Reformation of Religion, and do most willingly offer their prayers and uttermost endeavours for furthering so great a Work, wherein Christ is so much concerned in his glory, the King in his honour, the Kirk and Kingdome of *England* in their happinesse, and this Kirk and Kingdome in the purity and peace of the Gospel.

IIII. That the Assembly also from so many reall invitations, are heartened to renew the Proposition made by the aforenamed Commissioners of this Kingdome, for begining the Work of Reformation, at the uniformity of Kirk-government. For what hope can there be of Unity in Religion, of one Confession of Faith, one Form of Worship, and one Catechisme, till there be first one Forme of Ecclesiasticall Government? Yea, what hope can the Kingdome and Kirk of *Scotland* have of a firme and durable Peace, till Prelacie, which hath been the main cause of their miseries and troubles, first and last, be plucked up, root and branch, as a plant which God hath not planted, and from which, no better fruits can be expected then such sower grapes, as this day set on edge the Kingdome of *England*?

V. The Prelaticall Hierarchie being put out of the way, the Work will be easie, without forcing of any conscience, to settle in *England* the government of the Reformed Kirks by Assemblies. For although the Reformed Kirks do hold, without doubting, their Kirk Officers, and Kirk-government by Assemblies higher and lower, in their strong and beautifull subordination, to be *jure divino*, and perpetuall: yet Prelacie, as it differeth from the Office of a Pastor, is almost universally acknowledged by the Prelates themselves, and their adherents, to be but an humane ordinance, introduced by humane reason, and settled by humane Law and Custome for supposed conveniecie: which therefore by humane authority, without wronging any mans conscience, may be altred and abolished upon so great a necessity, as is a hearty conjunction with all the Reformed Kirks, a firm and well grounded Peace betwixt the two Kingdomes, formerly divided in themselves, & betwixt themselves by this partition wall, and a perfect Union of the Kirks in the two Nations: which although by the providence of God in one Iland, and under one Monarch, yet ever since the Reformation, and for the present also, are at greater difference in the point of Kirk-government, which in all places hath a powerfull influence upon all the parts of Religion, then any other Reformed Kirks, although in Nations at greatest distance, and under divers Princes.

VI. What may be required of the Kirk of *Scotland*, for furthering the Work of Uniformitie of Government, or for agreeing upon a common Confession of Faith, Catechisme, and directory for Worship, shall according to the order given by this Assembly, be most willingly performed by Us, who long extreamly for the day when King and Parliament shall joyn for bringing

bringing to passe so great, so good a Work, That all Warres and Commotions ceasing, all Superstition, Idolatry, Heresie, Sects, and Schismes being removed, as the Lord is one, so his name may be one amongst us; and mercy and truth, righteousnesse and peace meeting together, and kissing one another, may dwell in this Iland.

Act Sess. VIII. *Aug.* 3. 1642.

Overtures for transplantation of Ministers, & provision of Schools, ordained by the late Assembly at Edinburgh *to be sent to Synods, and reported to this Assembly.*

Act Sess XI. *Edinb.* Aug. 5. 1641.

These Overtures underwritten, anent the transporting of Ministers and Professors to Kirks and Colledges, being read in audience of the Assembly, and thereafter revised by a Committee appointed for that effect, The Assembly appoints them to be sent to the severall Synods, to be considered by them, and they to report their judgements thereof to the next Generall Assembly.

NO transportation would be granted hereafter without citation of parties having interest (*viz.* the Minister who is sought and his Parish) to hear what they can oppose, and the matter is to come first to both the Presbyteries (*viz.* that wherein the Minister dwels, whose transportation is sought, and the other Presbyterie to which he is sought if the Kirks lye in several Presbyteries) and if the Presbyteries agree not, then the matter is to be brought to the Synod, or Generall Assembly (which of them shall first occure after such transportation is sought) and if the Synod (occurring first) agree not; or if there be appeale made from it, then the matter is to come to the Generall Assembly. I.

A Minister may be transplanted from a particular Congregation (where he can onely doe good to a part) to such a place, where he may benefit the whole Kirk of *Scotland*, because, in reason the whole is to be preferred to a part, such as *Edinburgh*. II.

1. Because all the great Justice Courts sit there, as Councell, Session, Justice Generall, Exchequer, &c. and it concerns the whole Kirk, that these Fountains of Justice be kept clean, both in the point of Faith, and Manners.

2. Because there is great confluence to *Edinburgh*, from time to time, of many of the chief Members of the whole Kingdome, and it concerns the whole Kirk to have these well seasoned, who (apparantly) are to be the Instruments of keeping this Kirk and Kingdome in good temper.

That this may be the more easily done, the Assembly first recommends to *Edinburgh*, that some young men of excellent spirits may be (upon the charges of the said Town) trained up, at home or abroad, toward the Ministery from time to time. Secondly we meane not, that all the places of the Ministerie of *Edinburgh* be filled with Ministers to be transported by

by Authority of this Act, but only till they be provided of one Minister (transplanted by the Authority of the Assembly) for every Kirk in *Edinburgh*, and that the rest of the places be filled either according to the Generall Rules of transportation for the whole Kingdome, or by agreement with actuall Ministers, and their Parishes, with consent of the Presbyterie or Synod, to the which they belong.

III. In the next roome, we finde, that it is a transporting of Ministers for publike good, that Colledges, (having the profession of Divinitie) be well provided of Professors.

Wherein the Colledge of Divinitie in S. *Andrews* is first to be served, without taking any Professors or Ministers out of *Edinburgh*, *Glasgow*, or *Aberdene*, and then the rest of the Colledges, would be provided for, as their necessity shall require: yet (in respect of the present scarcity) it were good for the Universities to send abroad for able and approved men, to be Professors of Divinitie, that our Ministers may be kept in their pastorall charge asmuch as may be.

Towns also wherein Colledges are, are very considerable in the matter of transportation.

IIII. Also Congregations, where Noblemen have chief residence are to be regarded, whether planted or unplanted, and a care is to be had, that none be admitted Ministers where Popish Noblemen reside, but such as are able men (especially for controversies) by sight of the Presbyterie: and moreover it is necessary, that such Ministers as dwell where Popish Noblemen are, and are not able for controversies, that they be transported.

V. They who desire the transportation of a Minister should be obliged to give reasons for their desire: Neither should any Presbyterie or Assembly, passe a sentence for transportation of any Minister, till they give reasons for the expediencie of the same, both to him and his Congregation, and to the Presbyterie whereof he is a member. If they acquiesce to the reasons given, it is so much the better: if they doe not acquiesce, yet the Presbyterie, or Assembly, (by giving such reasons before the passing of their sentence) shall make it manifest, that what they doe is not *pro arbitratu, vel imperio* onely, but upon grounds of reason.

VI. Because there is such scarcity of Ministers having the *Irish* tongue, necessity requires, that when they be found in the Low-lands, they be transported to the High-lands: providing their condition be not made worse, but rather better by their transportation.

VII. In the point of voluntary transportation, no Minister shall transact and agree with any Parish, to be transported thereto, without a full hearing of him, and his Parish, before the Presbyterie to which he belongs in his present charge, or superiour Kirk judicatories, if need shall be.

VIII. The planting of vacant Kirks, is not to be tyed to any (either Ministers, or Expectants) within a Presbyterie: but a free election is to be, according to the order of our Kirk, and Lawes of our Kingdome.

IX. The chief Burghs of the Kingdome are to be desired to traine up young men of excellent spirits for the Ministery, according to their power, as was recommended to *Edinburgh*: Which course will in time (God willing) prevent many transplantations.

The

The Overtures under-written anent the Schooles being likewiſe read in audience of the Aſſembly, they recommend the particulars therein mentioned, anent the providing of the maintenance for School maſters, to the Parliament: and ordaine the reſt to be ſent to the Synods, to be conſidered by them, and they to report their judgements thereof to the next Generall Aſſembly, as ſaid is.

EVery Pariſh would have a Reader and a Schoole, where children are to be bred, in reading, writting, and grounds of Religion, according to the laudable Acts, both of Kirk and Parliament, made before. I.

And where Grammar Schooles may be had, as in Burghs, and other conſiderable places, (among which all Presbyteriall Seates are to be reputed) that they be erected, and held hand to.

Anent theſe Schooles, every Miniſter with his Elders, ſhall give accompt to the Presbyteries at the viſitation of the Kirk; the Presbyteries are to make report to the Synode, and the Synode to the Generall Aſſembly, that Schools are planted, as above-ſaid, and how they are provided with men and means. II.

And becauſe this hath been moſt neglected in the High-lands, Ilands, and borders. Therefore the Miniſters of every Pariſh are to inſtruct by their Commiſſioners, to the next Generall Aſſembly, that this courſe is begun betwixt and then: and they are further to certifie from one General Aſſembly to another, whether this courſe is continued without omiſſion, or not. III.

And becauſe the means hitherto named or appointed for Schooles of all ſorts, hath been both little, and ill payed, Therefore, beſide former appointments, (the execution whereof is humbly deſired, and to be petitioned for at the hands of His Majeſtie and the Parliament) the Aſſembly would further ſupplicate this Parliament that they (in their wiſdome) would finde out how meanes ſhall be had for ſo good an uſe, eſpecially that the children of poore men, (being very capable of learning, and of good engines) may be trained up, according as the exigence and neceſſity of every place ſhall require. And that the Commiſſioners, who ſhall be named by this Aſſembly, to wait upon the Parliament, may be appointed to repreſent this to his Majeſtie, and the Parliament, ſeeing His ſacred Majeſtie, by His gracious Letter hath put us in hope hereof, wherewith we have been much refreſhed. IIII.

The Aſſembly would ſupplicate the Parliament, that for youths of the fineſt and beſt ſpirits of the High-lands, and borders, maintenance may be allotted (as to Burſars) to be bred in Univerſities. V.

For the time and manner of viſitation of Schooles, and contriving the beſt and moſt compendious and orderly courſe of teaching Grammar, we humbly deſire the Aſſembly to appoint a Committee for that effect, who may report their diligence to the next Generall Aſſembly. VI.

The Overtures and Articles above-written being reported to this Aſſembly, after reading and ſerious conſideration thereof, the Aſſembly approves the ſame, And ordaines them to have the ſtrength of an Act and ordinance of Aſſembly in all time coming.

Seſſ.

Sess. XI. 5. *Aug.* 1642.

Act anent contrary Oaths.

THe Generall Assembly finding the inconvenience of contrary Oaths in trying of Adulteries, Fornications, and other faults and scandals, do therefore for eviting thereof, discharge Synods, Presbyteries and Sessions, to take Oath of both parties in all time hereafter, Recommending to them in the mean time all other order and wayes of tryall used in such cases: And that there may be a common order and course kept in this Kirk of trying of publike scandals, The Assembly ordains the Presbyteries to advise upon some common order hereintill, and to report their judgements to the next Assembly.

Overtures anent Family Exercises, Catechising, keeping of Synods and Presbyteries, and restraint of Adulteries, Witch-crafts, and other grosse sins.

The Committee supplicates the Assembly,

I. TO urge the severall Synods and Presbyteries, especially these of the North, that Family Exercise in Religion, visitation of the Churches, Catechising, keeping of the Presbyteriall and Provinciall meetings (both by Preaching and Ruling Elders) be more carefully observed.

II. That the Clerk at least subscribe every Book before it come to the Assembly, and that every Act be noted on the Margent, for a directory of expedition.

III. That the Assembly would seriously studie by all meanes and wayes how to procure the Magistrates concurrence to curb and punish these notorious vices which abound in the Land, especially in the Northern parts.

The Assembly approves the Overtures foresaids, and ordains them to be observed: and for the last, the Assembly being confident of the readinesse of the Judge Ordinar to restrain and punish these faults, Do therefore ordain all Presbyteries to give up to the Justice, the names of the Adulterers, incestuous persons, Witches and Sorcerers, and others guilty of such grosse and fearfull sins within their bounds, that they may be Processed, and punished according to the Laws of this Kingdom; and that the Presbyteries and Synods be carefull herein, as they will answer to the Generall Assemblies. And because that Witch-craft, Charming, and such like, proceeds many times from ignorance; Therefore the Assembly ordains all Ministers, especially in these parts where these sins are frequent, to be diligently Preaching, Catechising, and conferring, to inform their people thereintill.

Sess.

Sess. XI. 3. *Aug.* 1642.

Act against Petitions, Declarations, & such like in name of Ministers, without their knowledge and consents.

THe Generall Assembly being informed, that after the Petition presented to the Lords of His Majesties Privie Councell by the Noblemen Burgesses, and Ministers, occasionally met at *Edinburgh* the 31. day of *May* last by-past, had received very gracious Answer, There was another Petition given in to their Lordships upon the day of *June* last, entituled, The Petition of the Nobilitie, Gentrie, Burrows, Ministers, and Commons: which as it was not accompanied with any one Minister to the Lords of Privie Councell, so all the Ministers of this Assembly, disclaimes and disavows [illegible] knowledge thereof, or accession thereto. And the Assembly conceiving that the Kings Majestie Himself, and all the Courts and Judicatories of this Kingdome may be deluded and abused, and the Kirk in Generall, and Ministers in particular injured and prejudged by the like practises hereafter, Do therefore prohibite and discharge all and every one to pretend or use the name of Ministers to any Petition, Declaration, or suchlike at any time hereafter, without their knowledge, consent and assistance: And if any shall doe the contrary, ordaines Presbyteries and Provincall Assemblies to proceed against them with the highest censures of the Kirk.

Sess. XI. 5. *Aug.* 1642.

Act anent the Assemblies desires to the Lords of Counsell, and Conservators of Peace.

THe Assembly being most desirous to use all, and to omit no lawfull meane or occasion to testifie their zeale by dealing with God and man, for furtherance of their desires of Unity in Religion and uniformity of Kirk-government, And considering the great necessity, that the Kirk and State contribute jointly their best endeavours to this happy end: Therefore enjoynes the Moderator, and the Commissioners from the Assembly, to supplicate with all earnestnesse and respect, the Lords of his Majesties Honourable Privie Councell, and likewise the Commissioners appointed by His Majestie, and the Parliament, for conservation of the Peace, that they may be pleased to concur with the Kirk in the like desires to His Majesty and the Parliament of *England*, and in the like directions to the Commissioners of this Kingdome, at *London* for the time, that by all possible means, Civill, and Ecclesiastick, this blessed Worke may be advanced, and a happy settling betwixt His Majestie and His Parliament, may be endeavoured, and the common Peace betwixt the Kingdomes continued and strengthened.

Sess. XI. *Aug.* 5. 1642.

The Assemblies humble desire to the Kings Majestie for the Signator of 500 l. *Sterling, and recommendation thereof to the Kings Commissioner.*

THe Generall Assembly having received the Report of the proceedings of the Commissioners of the late Assembly, and specially that His Majesty was graciously pleased, upon their humble Petition, solemnly to promise and declare under his Royall hand, his pious resolution and dedication of 500. l. sterling, out of the readiest of his Rents and revenues, to be imployed yearly on publike necessary and pious uses of the Kirk, at the sight of the Generall Assembly, as His Majesties gracious Answer of the 3. of *January*, 1642. registrate in their books at His Majesties own desire, for their further assurance of His Majesties pious zeale, doth more fully proport. Likeas being informed that His Majestie was gratiously pleased to signe and send down to the Kirk the Signator of the said 500. l. yearly to have past the Exchequer, albeit the famine is not as yet delivered; And considering His Majesties pious directions to them by his Majesties Letter to plant and visit the utmost skirts and borders of the Kingdome, as most necessary for the glory of God, the good of the Kirk, and His Majesties honour, and service, which is only stopped by the want of charges for publike visitations, And withall to remonstrate to His Majestie by His Commissioner, their just and necessary desires for what may further serve to the good of Religion, whereunto His Majesties Commissioner promised his best endeavours and assistance. Therefore the Assembly doth most earnestly recommend to His Majesties Commissioner to represent to His Majestie, with his best assistance, the humble and necessary desires of the whole Assembly, that His Majestie wil be graciously pleased to command that Signator, already signed by His Royall hand (or to signe another of the same tenor, whereof they deliver the just double to His Majesties Commissioner for that effect) to be sent to this Kingdom, and delivered to the Commissioners from this Assembly, who are to sit at *Edinburgh*, or to the Procurator of the Kirk, whereby His Majestie shall more and more oblige this whole Kirk to pray for a blessing from Heaven upon His Royall Person and Government.

Sess.

Sess. XI. 5. *Aug.* 1642.

The Assemblies Letter to the Commissioners of this Kingdom at London.

Right Honourable,

WE have received your Lordships Letter, with the Declaration of the Parliament of *England*, and have sent this Noble bearer to His Majesty with our humble Supplication, and to your Lordships with our Answer, earnestly desiring Unity of Religion, and Uniformity of Kirk-government, to be presented by your Lordships, and this Noble bearer to the Honourable Houses of Parliament. Your Lordships will perceive by the inclosed Copies, and by our desires to His Majesties honourable Privie Councell and Commissioners for the conservation of the Peace, to joyn their best endeavours with His Majestie and the Parliament, and their directions to your Lordships, by our leaving a Commission behinde us, to concur with them in all Ecclesiastick wayes, and by our appointing publike Prayers, and a solemn Fast through this Kirk, for the furtherance of this great work of Reformation, and continuance of the common Peace, that this unity in Religion & Uniformity of Kirk-government is the chiefest of our desires, prayers and cares: whereunto as we have been encouraged by the faithfull labors of the Commissioners of this Kingdom in the late Treaty, and continued and renewed by your Lordships; so we are assured, that your Lordships will omit no lawfull mean, argument, or occasion of seconding the same there, And advertising our Commissioners at *Edinburgh*, wherein they may further concur with your Lordships, for the furtherance of the Work, which tends so much to the glory of God, advancement of Christs Kingdom, increase of the honour and happinesse of our Soveraign, and the peace and welfare of these Kingdoms, whereby your Lordships will oblige this Kirk more and more to pray for a blessing on your persons and travels, and to rest

Yours in the Lord

S. Andrews 5. *Aug.* 1642. *The Commissioners of the Generall Assembly.*

A Letter from some Ministers of *England*.

Reverend and wel-beloved in our Lord and Saviour,

WE received with much joy and satisfaction, the Answer which your Generall Assembly vouchsafed us to our Letters of the last yeer. Some of us in the name of our Brethren, thought it then fit by M. *Alexander Henderson* (a Brother so justly approved by you, and honoured by us) to return our deserved thanks. And we now further think it equall upon this occasion, to make a more publike acknowledgement of such a publike favour. You were then pleased to give us fair grounds, to expect that brotherly advice and endeavours, which the common cause of Christ, and the mutuall interest of the united Nations, command us now again to ask, if not to chalenge. We doubt not but your experience, toge-

ther with your intelligence, abundantly informes you of our condition, what various adminiſtrations of providence we have paſſed through, and we ſtill lye betwixt hopes and feares, a fit temper for working; the God of all grace enable us to improve it. As our hopes are not ſuch as may make us fear, ſo neither doe our Feares prevail, to the caſting away our confidence. Your own late condition, together with this Declaration of ours preſent, may acquaint you with the certain, though ſubtil, authors and fomentors of theſe our confuſed conflicts: which we conceive to be the Hierarchical faction, who have no way to peace and ſafety, but through the trouble and danger of others. Our prayers and endeavours, according to our meaſure, have been, and ſhall be for the ſupplanting and rooting up whatſoever we finde ſo prejudiciall to the eſtabliſhment of the Kingdome of Chriſt, and the peace of our Soveraigne. And that this Declaration of our ſelves may not leave you unſatisfied, we think it neceſſary further to expreſſe, That the deſire of the moſt godly and conſiderable part amongſt us, is, That the Presbyterian Government, which hath juſt and evident Foundation both in the Word of God, and religious reaſon, may be eſtabliſhed amongſt us, and that (according to your intimation) we may agree in one Confeſſion of Faith, one directorie of Worſhip, one publike Catechiſme and form of government: Which things, if they were accompliſhed, we ſhould much rejoyce in our happy ſubjection to Chriſt our Head, and our deſired aſſociation with you our beloved brethren. For the better effecting whereof, we thought it neceſſary, not only to acquaint you with what our deſires are in themſelves, but likewiſe to you, that is, That what way ſhall ſeem moſt fit to the wiſedom of that grave and religious Aſſembly, may be taken for the furtherance of our indeavours in this kind. We underſtand that our Parliament hath been beforehand with us in this intimation, and it cannot but be our duty, who are ſo much concerned in the buſineſſe, to adde what power the Lord hath given us with you to the ſame purpoſe. This deſigne and deſire of ours hath enemies on the Left-hand; and diſſenting brethren on the Right; but we doubt not, that as our hearts juſtifie us that our intentions are right, and ſuch as we conceive tend moſt to the glory of God, and the peace of the Churches of the Saints; ſo (by your brotherly concurrence in the moſt ſpeedy and effectuall way you can find out) the Work will in Gods due, time receive a prayed for, hoped for iſſue. We ſhall not need by many arguments from mutuall Nationall intereſt (though we know you will not overlook them) to inforce this requeſt, the firme bond wherewith we are all united in our Lord Jeſus Chriſt, we are aſſured will alone engage your faithfull endeavors in this buſineſſe. To him we commit you, with theſe great and important affairs you have in hand. Be pleaſed to accept of theſe as the expreſſion of the mindes of our many godly and faithfull Brethren, whoſe hearts we doubt not of, neither need you, though their hands in regard of the ſuddenneſſe of this opportunity could not be ſubſcribed together with ours, who are

Your moſt affectionate friends and brethren in the Work of the Lord.

London 22. *July* 1642.

Anſwer

Anſwer to the Miniſters Letter.

Right Reverend and beloved in the Lord Jeſus.

Y our Anſwer to the Declaration ſent unto us from the honourable Houſes of Parliament, ye may perceive that your Letter which came into our hands ſo ſeaſonably, was not only acceptable unto us, but hath alſo encouraged us to renew both to the Kings Majeſtie and the Houſes of Parliament, The deſires of the late Commiſſioners of this Kingdome for Unity in Religion, in the four particulars remembred by you, we cannot be ignorant but the oppoſition from Satan and worldly men in Kirk and Policy, will ſtill be vehement as it hath been already, But we are confident through our Lord Jeſus Chriſt, that the prayers and indeavours of the godly in both Kingdoms, will bring the work to a wiſhed, and bleſſed Iſſue. This whole nationall Kirk is ſo much concerned in that Reformation and Unity of Religion in both Kingdomes, that without it we cannot hope for any long time to enjoy our puritie and peace, which hath coſt us ſo dear, and is now our chiefeſt comfort and greateſt treaſure: Which one cauſe (beſide the Honour of God, and the happineſſe of the People of God in that Kingdome, more deſired of us then Our lives) is more then ſufficient to move us, To contribute all that is in our power for bringing it to paſſe. And ſince we have with ſo great liberty made our deſires and hopes known both to King and Parliament, it is a duety incumbent both to you and us, who make mention of the Lord, and are Watch-men upon the Walls of *Jeruſalem*, never more to keep ſilence nor to hold our peace day nor night, till the righteouſneſſe of Sion go forth as brightneſſe, and the ſalvation thereof as a lamp that burneth. And if it ſhall pleaſe the Lord to move the hearts of King and Parliament, to hearken unto the motion, for which end we have reſolved to keep a ſolemne Faſt and Humiliation in all the Kirks of this Kingdome, the mean by which we have prevailed in times paſt, we wiſh that the Work may be begun with ſpeed, and proſecuted with diligence by the joint labours of ſome Divines in both Kingdoms, who may prepare the ſame for the view and examination of a more frequent Eccleſiaſtick meeting of the beſt affected to Reformation there, and of the Commiſſioners of the Generall Aſſembly here, that in end it may have the approbation of the Generall Aſſembly here, and of all the Kirks there, in the beſt way that may be, we wiſh and hope at laſt in a nationall Aſſembly; Our Commiſſioners at *Edinburgh*, ſhall in our name receive and returne anſwers for promoving ſo great a Work, which we with our heart and our ſoule recommend to the bleſſing of God, we continue,

Your loving brethren and fellow-labourers.

Act for the Lord Maitlands *presenting the Assemblies Supplication to His Majestie, and for going to the Commissioners at* London, *with the Answer to the Parliament of* Englands *Declaration.*

THe General Assembly considering the necessity of sending some person of good worth and quality for to present their humble Supplication to His Majestie, and to deliver their directions to the Commissioners of this Kingdom, now at *London*, with their Declaration to the Parliament of *England*, and Answer to some wel-affected Ministers of that Kirk: And having certain knowledge of the worth, ability, and faithfulnesse of *John* Lord *Maitland*, one of their number, who being witnesse to all their intentions and proceedings, can best relate their true loyaltie and respect to their Soveraign, and brotherly affection to the Kirk and Kingdom of *England* therein; Therefore do unanimously require his Lordships pains, by repairing to Court and to *London* for the premisses, which hereby they commit to his diligence and fidelity, willing his Lordship to make account of his proceedings herein to their Commissioners appointed to sit at *Edinburgh*.

Sess. XII. 5. *Aug. post meridiem.*

Commission for publike affairs of this Kirk, and for prosecuting the desires of this Assembly to His Majestie and the Parliament of England.

THe Generall Assembly considering the laudable custome of this Kirk for to appoint some Commissioners in the interim betwixt Assemblies, for presenting of Overtures and prosecuting the other desires of the Kirk to His Majestie, the Lords of His Councell, and the Estates of Parliament; And taking to their consideration the present condition of the Kirk of *England*, with the Declaration thereof sent down from the Parliament, and some reverend Brethren of the Ministery there, with their own Answer to the Parliament and Ministery, and their humble Supplication to His Majestie for Unity of Religion and Uniformity of Kirk-government. And withall remembring their desires to the Honourable Lords of His Majesties secret Councell, and to the Commissioners appointed by the King and Parliament, for conservation of the common Peace, That they would joyn their concourse in their desires to His Majestie and Parliament, and directions to the Commissioners of this Kingdom at *London* for the time. And likewise considering their good hopes from Gods gracious favour to this Island, that by his good providence he will in his own way and time settle this great Work through this whole Ile; And that it is both our earnest desire and Christian duty to use all lawfull means and Ecclesiastick wayes for furtherance of so great

great a Work, continuance of the common peace betwixt these nations, and keeping a brotherly correspondence betwixt these Kirks. Therfore the Assembly thinks it necessary before their dissolving, to appoint, & by these presents do nominate and appoint, Masters, *Andrew Ramsay*, *Alex. Henderson*, *Robert Dowglas*, *William Colvill*, *William Bennet* Ministers at *Edinburgh*, M. *William Arthur* Minister at S. *Cuthbert*, M. *James Robertson*, *John Logan*, *Robert Lighton*, Commissioners from *Dalkeith* to this Assembly: Masters, *Andrew Blackhall*, *James Fleeming*, *Robert Ker*, Commissioners from *Hadingtoun* to this Assembly: Masters, *George Hamilton*, *Robert Blair*, *Arthur Mortoun*, *David Dalgleish*, *Andrew Bennet*, *Walter Greg*, *John Moncreff*, *John Smith*, *George Gillespie*, *John Row*, *John Duncan*, *Walter Bruce*, Commissioners for the Presbyteries within the Province of *Fyfe*: M. *David Calderwood* Minister at *Pencaitland*, M. *John Adamson* Principal of the Colledge of *Edinburgh*, M. *John Strang* Principal of the Colledge of *Glasgow*, M. *David Dickson*, M. *James Bonar*, M. *Robert Bailie*, M. *John Bell*, M. *Robert Ramsay*, M. *George Young*, M. *Henry Guthrie*, M. *Samuel Oustein*, M. *John Robertson* Minister at S. *Johnstoun*, M. *John Robertson* Minister at *Dundie*, M. *John Hume* Minister at *Eckills*, M. *Andrew Cant*, M. *William Guild*, M. *Samuel Rutherfurd*, M. *James Martin*, M. *Alexander Monroe*, M. *Robert Murray*, M. *John Maclellan*, *Andrew Doncanson*, M. *Silvester Lambie*, M. *Gilbert Ross*, Ministers: Marqueſſe of *Argyle*, Earles of *Lauderdaile*, *Glencairne*, *Kinghorne*, *Eglintoun*, *Weemes*, *Cassils*: Lords, *Gordoun*, *Maitland*, *Balcarras*, Sir *Patrick Hepburne* of *Wauchtoun*, Sir *David Home* of *Wedderburne*, Sir *David Creightoun* of *Lugtoun*, Sir *David Barclay* of *Cullearnie*, *John Henderson* of *Fordell*. M. *George Winrame* of *Libertoun*, Sir *Robert Drummond*, Sir *William Carmichaell*, *John Binnie*, *Thomas Paterson*, *John Sempill*, *John Kennedy* of *Air*, *John Leslie* from *Aberdene*, *William Glendining* Provest of *Kirkubright*, *John Colzear*, Ruling Elders, with the concurse of the Procurator of the Kirk: And grants to them full Power and Commission in this *interim*, betwixt and the next Assembly, for to meet and conveen at *Edinburgh* upon the 17. day of this moneth of *August*, and upon any other day, or in any other place, as they shall think convenient: And being met and conveened, or any fifteen of them, there being alwayes twelve Ministers present: With full power for to consider and performe what they finde necessary for the Ministerie, by preaching, supplicating, prepairing of draughts of one Confession, one Catechisme, one directory of publike Worship (which are alwayes to be revised by the next Generall Assembly) and by all other lawfull & Ecclesiastick wayes, for furtherance of this great Work in the Union of this Iland in Religion and Kirk-government, and for continuance of our own peace at home, and of the common peace betwixt the Nations, and keeping of good correspondence betwixt the Kirks of this Iland. Like as if it shall please God to blesse the prayers and endeavours of his Saints for this blessed Union, and that if either the Lords of Councell, or Commissioners for the Peace shall require their concurse at home or abroad, by sending Commissioners with theirs to His Majesty and Parliament for that effect, or that they themselves shall finde it necessary; The Assembly grants full power to them, not only to concurre by all lawfull and Ecclesiastick wayes, with the Councell

and

and Conservators of the Peace at home, but also to send some to prelent and prosecute their desires and humble advice to His Majesty and the Parliament, and the Ministerie there, for the furthering and perfecting of so good and great a Worke. Like as, with power to them to promove their other desires, overtures and recommendations of this Assembly, to the Kings Majestie, Lords of Councell, Session, Exchequer, and Commissioners of Parliament, for plantation of Kirks, for common burdens, or conservation of the common peace, and to the Parliament of this Kingdom, in case it fall out *pro re nata* before the next Assembly. And such like, with as full power to them to proceed, treat and determine in any other matters to be committed to them by this Assembly, as if the same were herein particularly insert, and with as ample power to proceede in the matters particularly or generally above-mentioned, as any Commissioners of Generall Assemblies have had, and have been in use of before: They being alwayes comptable to, and censurable by the next Generall Assembly, for their proceedings thereanent.

Sess. XIII. 6. *Aug.* 1642.

A Petition from some distressed Professors in *Ireland*.

To the reverend and right Honourable the Moderator and remanent members of the Generall Assembly of Scotland, *convened at* S. Andrews, *July* 1642.

The humble Petition of the most part of the Scottish Nation in the North of *Ireland*, in their own names, and in name of the rest of the Protestants there.

Humbly sheweth,

THat where your Petitioners, by the great blessing of the Lord, enjoyed for a little while a peaceable and fruitfull Ministerie of the Gospel, yet through our own abuse of so rich a mercy, and through the tyrannie of the Prelates, we have been a long time spoiled of our Ministers (a yoke to many of us heavier then death) who being chased into *Scotland*, were not altogether un-usefull in the day of your need, And we having been since oppressed and scattered, as sheep who have no shepherd, now at last the wise and righteous hand of the Lord, by the sword of the Rebels, hath bereft us of our friends, and spoiled us of our goods, and left us but a few, and that a poor handfull of many, and hath chased from us the rest that were called our Ministers, the greatest part whereof we could scarce esteem such, as being rather Officers to put the Prelats Injunctions in execution, then feeders of our souls: So that now being visited with sword and sickneſſe, and under some apprehension of famine, if withall we shall taste of the sorest of all plagues, to be altogether deprived of the Ministery of the Word, we shall become in so much a worse condition then any Pagans, as that once we enjoyed a better: Neither

ther know we what hand to turn us to for help, but to the Land so far obliged by the Lords late rare mercies, and so far enriched to furnish help of that kinde; a Land whence many of us drew our blood and breath, and where (pardon the necessary boldnesse) some of our own Ministers now are, who were so violently plucked from us, so sore against both their own and our wills; yea, the Land that so tenderly in their bosoms received our poor out-casts, and that hath already sent us so rich a supply of able and prosperous Souldiers to revenge our wrong.

Therefore, although we know that your zeale and brotherly affection would urge you to take notice without our advertisement, yet give us leave in the bowels of our Lord Jesus Christ, to intreat, if there be any consolation in Christ, if any comfort of love, if any fellowship of the spirit, if any bowels of mercy, that now in this nick of time, when the sword of the Enemie making way for a more profitable entertaining the Gospel, having also banished the Prelates, and their followers, when our extremity of distresse, and the fair hopes of speedy settling of peace, hath opened so fair a doore to the Gospel, you would take the cause of your younger sister, that hath no brests, to your serious consideration, and pity poore *Macedonians* crying to you that ye would come over and help us, being the servants of the God of your Fathers, and claiming interest with you in a common Covenant, that according to the good hand of God upon us, ye may send us Ministers for the house of our God. We do not take upon us to prescribe to you the way or the number, but in the view of all, the finger of the Lord points at these, whom though persecution of the Prelats drew from us, yet our interest in them could not be taken away, wherein we trust in regard of several of them, called home by death, your bounty will super-adde some able men of your own that may help to lay the foundation of Gods house, according to the Pattern. But for these so unjustly reft from us, not only our necessity, but equity pleads, that either you would send them all over, which were a Work to be parallelled to the glories of the Primitive times, or at least that ye would declare them transportable, that when Invitators shall be sent to any of them, wherein they may discerne a call from God, there may be no difficultie in their loosing from thence; but they may come back to perfect what they began, and may get praise and fame in the Land, where they were put to shame. Neither are you to question your power over us so to doe, or crave a president of your own practise in that kind, for our extraordinary need calling on you, furnisheth you with a power to make this a president for the like cases hereafter: herein if you shall lay aside the particular concernment of some few places, which you may easily out of your rich Nurseries plant again, and make use of your publike spirits, which are not spent, but increases by your so many noble designes; you shall leave upon us and our posteritie the stamp of an obligation that cannot be delete, or that cannot be expressed; you shall send to all the neighbouring Churches a pattern, and erect for after-ages a monument of self-denying tender zeale; you shall disburden the Land of the many out-casts, who will follow over their Ministers; and you shall make it appear, that the churlish bounty of the Prelats, which at first cast some of these men over to us, is not comparable with the cheer-

full liberalitie of a rightly constitute Generall Assembly, to whom we are perswaded, the Lord will give seed for the loane which you bestow on the Lord; yea, the day may come, when a Generall Assembly in this Land may returne to you the first fruits of thanks, for the plants of your free gift. And although you were scant of furniture of this kinde your selves, or might apprehend more need then formerly, yet doubtlesse, your bowels of compassion would make your deep povertie even in a great tryal of affliction, abound to the riches of your liberalitie. But now seeing you abound in all things, and have formerly given so ample a proof of your large bestowing on Churches abroad in *Germanie* and *France*, knowing that you are not wearied in well-doing, we confidently promise to our selves in your name, that ye will abound in this grace also, following the example of our Lord and the Primitive Churches, who alwayes sent out disciples in paires. But if herein our hopes shall faile us, we shall not know whether to wish that we had died with our Brethren by the Enemies hand; for we shall be as if it were said unto us, *Goe serve other Gods*; yet looking for another kinde of Answer at your hands, for in this you are to us as an Angel of God, we have sent these bearers, M. *John Gordoun* and M. *Hugh Campbell* our Brethren, who may more particularly informe you of our case, and desire that at their returne, they may refresh the bowels of

Your most instant and earnest Supplicants.

Commission to some Ministers to go to Ireland.

THe Assembly having received a Petition subscribed by a considerable number in the North of *Ireland*, intimating their deplorable condition, through want of the Ministerie of the Gospel, occasioned by the tyrannie of the Prelats, and the sword of the Rebels, and desiring some Ministers, especially such as had been chased from them, by the persecution of the Prelats, and some others to be added, either to be sent presently over to reside amongst them, or declared transportable, that upon invitation from them, they might goe and settle there; together with some particular Petitions, desiring the returne of some particular Ministers, who had laboured there before: All which the Assembly hath taken to their serious consideration, being most heartily willing to sympathize with every member of Christs Body, although never so remote; much more with that Plantation there, which for the most part was a Branch of the Lords Vine, planted in this Land. In which sollicitude, as they would be loath to usurpe without their own bounds, or stretch themselves beyond their own measure; so they dare not be wanting, to the enlargement of Christs Kingdome, where so loud a cry of so extreame necessitie, could not but stirre up the bowels of Christian compassion. And although they conceive, that the present unsettled condition both of Church, and State, and Land, will not suffer them as yet to loose any to make constant abode there; yet they have resolved to send over some for the present exigent till the next Generall Assembly, by courses to stay there four moneths allanerly: And therefore doe hereby

authorize

authorize and give Commission to the persons following, to wit, M. *Robert Blair*, Minister at S. *Andrews*, and M. *James Hamilton*, Minister at *Dumfreis* for the first four moneths: M. *Robert Ramsay*, Minister at *Glasgow*, and M. *John Maclelland* Minister at *Kirkudbright*, for the next four moneths: and to M. *Robert Baillie*, professor of divinitie in the Universitie of *Glasgow*, and M. *John Levistoun*, Minister of *Stranraire* for the last four moneths: To repair into the North of *Ireland*, and there to visit, comfort, instruct and encourage the scattered flocks of Christ, to employ to their uttermost with all faithfulnesse and singlenesse of heart, in planting and watering, according to the direction of Jesus Christ, and according to the doctrine and discipline of this Church in all things, And if need be (with concurrence of such of the Ministers of the Army as are there) to try and ordain such as shall be found qualified for the Ministerie, Giving charge unto the persons foresaid in the sight of God, that in doctrine, in worship, in discipline, and in their dayly conversation, they studie to approve themselves as the Ministers of Jesus Christ, and that they be comptable to the Generall Assembly of this Kirk, in all things. And in case if any of the above-mentioned Ministers be impeded by sicknesse, or otherwise necessarily detained from this service, the Assembly ordaines the Commissioners residing at *Edinburgh*, for the publike affairs of the Church, to nominate in their place well qualified men, who hereby are authorized to undertake the foresaid imployment, as if they had been expressely nominate in the face of the Assembly. And this, although possibly it shall not fully satisfie the large expectation of the Brethren in *Ireland*, yet the Assembly is confident they will take in good part at this time, that which is judged most convenient for their present condition, even a lent mite out of their own, not very great plenty, to supply the present necessity; requiring of them no other recompence, but that they in all cheerefulnesse may embrace and make use of the message of salvation, and promising to enlarge their indebted bounty at the next Assembly, as they shall finde the Worke of the Lord there to require. In the meane while, wishing that these who are sent, may come with the full blessing of the Gospel and peace, and recommending them, their labours, and these to whom they are sent, to the rich blessing of the great shepherd of the flock.

Sess. XIII. 6. *Aug.* 1642.

Act against slandering of Ministers.

THe Generall Assembly considering the malice of divers persons in raising calumnies and scandalls against Ministers, which is not onely injurious to their persons, and discreditable to the holy calling of the Ministerie, but doth also prove often a great prejudice and hinderance to the promoving of the Gospel: Doe therefore ordain Presbyteries and Synods to proceed diligently in processe against all persons, that shall reproach or scandall Ministers, with the censures of the Kirk, even to the highest, according as they shall finde the degree or quality of the scandal deserve.

Act anent ordering of the Assembly House.

THe Assembly for better order in time coming ordains the Act of the Assembly at *Aberdene* for ordering the House of the Assembly to be kept hereafter punctually. And for that effect, that the samine be reade the first Session of every Assembly.

Act for remembring in publike Prayers the desires of the Assembly to the King and Parliament, and indiction of a publike Fast.

THe Generall Assembly being desirous to promove the great work of Unity in Religion, and Uniformity in Church-government, in all thir three Dominions, for which the Assembly hath humbly supplicate the Kings Majestie, and remonstrate their desires to the Parliament of *England*, lest they should be wanting in any meane that may further so glorious and so good a Work: Doe ordain, that not only the said Declaration to the Parliament, and supplication to the Kings Majestie, shall be accompanied with the earnest Petitions and prayers of the whole Brethren in private and publike, for the Lords blessing thereunto, according to the laudable custome of our predecessors, who in the year of God 1589. ordaines that the Brethren in their private and publike prayers, recommend unto God the estate of the afflicted Church of *England*: But having just cause of fear, that the iniquities of the Land, which so much abound, may marre this so great a Work, doe also ordain a solemne Fast to be kept on the second Lords day of *September*, and the Wednesday following throughout the whole Kingdome for the causes after specified.

I. Grosse ignorance and all sort of wickednesse among the greater part, security, meer formality and unfruitfulnesse among the best, and unthankfulnesse in all.

II. The sword raging throughout all Christendome, but most barbarously in *Ireland*, and dayly more and more threatned in *England*, through the lamentable division betwixt the King and the Parliament there, tending to the subversion of Religion and Peace in all the three Kingdomes.

III. That God may graciously blesse the supplication of the Assembly to the Kings Majesty, and their motion to the Parliament of *England*, for Unitie in Religion, and Uniformity of Kirk-government, and all other meanes which may serve for the promoving of so great a Worke, and advancement of the Kingdome of Christ every where.

IIII. That God may powerfully overturne all wicked plots and designes of Antichrist and his followers, and all divisive motions against the course of Reformation, and the so much longed for Union of the King and Parliament.

V. That God may blesse the harvest.

Reference

Reference from the Presbyterie of Kirkcaldie.

ANent the Acts of Assemblies, for observation of the Lords Day, profaned by going of Salt-pannes, That this Assembly would declare the limits of the Sabbath, during which the Pannes should stand.

THe Assembly referres the Answer of this Question, to the Acts of former Assemblies.

Reference from the Synode of Fyffe.

THat the Provincial of *Angus* keep their meeting on the same day with the Synod of *Fyffe*, which breakes the correspondence between them, appointed by the Generall Assembly of *Glasgow*.

ANSWER.

THe Assembly ordaines the Provinciall Assembly of Angus *to keep their first meeting upon the third Tuesday of* April, *conforme to the Act of the said Assembly of* Glasgow.

Overtures to be advised by Presbyteries against the next Assembly.

HOw Appeals shall be brought in to the Generall Assemblies, and by what sort of citation.

What shall be the prescription of scandalls, within what space of time shall they be challenged, whether after three years, the Minister having been allowed and approved in life and doctrine by Synods, Presbyteries, and Visitations.

What order shall be taken for keeping Generall Assemblies, when Presbyteries send not the full number of Commissioners: Or when the Commissioners abide not untill the conclusion and dissolving of the Assembly.

Order to be advised for Testimonialls.

THe Assembly appoints the next Generall Assembly to hold at Edinburgh *the first Wednesday of* August, 1643.

FINIS.

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FINIS.